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THE

HISTORY OF THE PURITANS;

OR,

PROTESTANT NONCONFORMISTS;

FROM THE

REFORMATION IN 1517,

TO

THE REVOLUTION IN 1688:

COMPRISING AN

ACCOUNT OF THEIR PRINCIPLES;

THEIR ATTEMPTS FOR A FARTHER REFORMATION IN THE CHURCH;

THEIR SUFFERINGS;

AND THE

LIVES AND CHARACTERS OF THEIR MOST CONSIDERABLE DIVINES.

66912

By DANIEL NEAL, M. A.

A NEW EDITION, IN FIVE VOLUMES;

REPRINTED FROM THE

TEXT OF DR. TOULMIN'S EDITION,

WITH HIS

LIFE OF THE AUTHOR AND ACCOUNT OF HIS WRITINGS.

REVISED, CORRECTED, AND ENLARGED.

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AUTHOR'S PREFACE

TO THE

THIRD VOLUME.

No period of civil history has undergone a more critical examination than the last seven years of king Charles I. which was a scene of such confusion and inconsistent management between the king and parliament, that it is very difficult to discover the motives of action on either side: the king seems to have been directed by secret springs from the queen and her council of Papists, who were for advancing the prerogative above the laws, and vesting his majesty with such an absolute sovereignty as might rival his brother of France, and enable him to establish the Roman-Catholic religion in England, or some how or other blend it with the Protestant. This gave rise to the unparalleled severities of the star-chamber and high-commission, which, after twelve years' triumph over the laws and liberties of the subject, brought on a fierce and bloody war, and after the loss of above a hundred thousand lives, ended in the sacrifice of the king himself, and the subversion of the whole constitution.

Though all men had a veneration for the person of the king, his ministers had rendered themselves justly obnoxious, not only by setting up a new form of government at home, but by extending their jurisdiction to a neighbouring kingdom, under the government of distinct laws, and inclined to a form of church-discipline very different from the English: this raised such a storm in the north, as distressed his majesty's administration; exhausted his treasu[ry], drained all his arbitrary springs of supply; and (after an inte[r]sion of twelve years) reduced him to the necessity of return[ing] the constitution, and calling a parliament; but when the [first] grievances came to be opened, there appeared such a coll[ection] ill-humours, and so general a distrust between the king a[nd] houses, as threatened all the mischief and desolation th[at] Each party laid the blame on the other, and agreed i[n] in throwing off the odium of the civil war from thems[elves].

The affairs of the church had a very considerabl[e] the welfare of the state: the episcopal character [fell] contempt, not from any defect of learning in the [clergy], their close attachment to the prerogative, and th[e]

thirst of power, which they strained to the utmost in their spiritual courts, by reviving old and obsolete customs, levying large fines on the people for contempt of their canons, and prosecuting good men and zealous Protestants, for rites and ceremonies tending to superstition, and not warranted by the laws of the land. The king supported them to the utmost; but was obliged, after some time, to give way, first, to an act for abolishing the high-commission, by a clause in which the power of the bishops' spiritual courts was in a manner destroyed; and at last to an act depriving them of their seats in parliament. If at this time any methods could have been thought of, to restore a mutual confidence between the king and his two houses, the remaining differences in the church might easily have been compromised: but the spirits of men were heated, and as the flames of the civil war grew fiercer, and spread wider, the wounds of the church were enlarged, till the distress of the parliament's affairs obliging them to call in the Scots, with their solemn league and covenant, they became incurable.

When the king had lost his cause in the field, he put himself at the head of his divines, and drew his learned pen in defence of his prerogative, and the church of England; but his warguments ere no more successful than his sword. I have brought the debates between the king and Mr. Henderson, and between the divines of both sides at the treaties of Uxbridge and Newport upon the head of episcopacy, into as narrow a compass as possible; my chief design being to trace the proceedings of the parliament and their assembly at Westminster, which (whether justifiable or not) ought to be placed in open view, though none of the historians of those times have ventured to do it.

The Westminster assembly was the parliament's grand council in matters of religion, and made a very considerable figure both at home and abroad through the course of the civil war, till they disputed the power of the keys with their superiors, and split upon the rocks of divine right and covenant-uniformity. The records of this venerable assembly were lost in the fire of London; but I have given a large and just account of their proceedings, from a manuscript of one of their members, and some other papers that have fallen into my hands, and have entered as far into their debates with the Erastians, Independents, and others, as was consistent with the [illegible] and spirit of the history.

[illegible]hatever views the Scots might have from the beginning of the [illegible]he parliament would certainly have agreed with the king upon [illegible]t of a limited episcopacy, till the calling the assembly of [illegible]after which the solemn league and covenant became the [illegible]f all their treaties, and was designed to introduce the [illegible]n government in its full extent, as the established reli- [illegible]kingdoms. This tied up the parliament's hands, from [illegible]e to the king's most reasonable concessions at New- [illegible]ered an accommodation impracticable; I have there- [illegible]d the covenant at large, with the reasons for and [illegible]ther such obligations upon the consciences of men [illegible]m the necessity of affairs, or binding in all events

and revolutions of government, I shall not determine; but the imposing them upon others was certainly a very great hardship.

The remarkable trial of archbishop Laud, in which the antiquity and use of the several innovations complained of by the Puritans are stated and argued, has never been published entire to the world. The archbishop left in his diary a summary of his answer to the charge of the commons, and Mr. Prynne, in his Canterbury's Doom, has published the first part of his grace's trial, relating principally to points of religion; but all is imperfect and immethodical. I have therefore compared both accounts together, and supplied the defects of one with the other; the whole is brought into a narrow compass, and thrown into such a method, as will give the reader a clear and distinct view of the equity of the charge, and how far the archbishop deserved the usage he met with.

I have drawn out abstracts of the several ordinances relating to the rise and progress of Presbytery, and traced the proceedings of the committee for plundered and scandalous ministers, as far as was necessary to my general design, without descending too far into particulars, or attempting to justify the whole of their conduct; and though I am of opinion, that the number of clergy who suffered purely on the account of religion was not very considerable, it is certain that many able and learned divines, who were content to live quietly, and mind the duty of their places, had very hard measure from the violence of parties, and deserve the compassionate regards of posterity; some being discharged their livings for refusing the covenant, and others plundered of every thing the unruly soldiers could lay their hands upon, for not complying with the change of the times.

In the latter end of the reign of queen Anne, Dr. Walker of Exeter published "An attempt to recover the number and sufferings of the clergy of the church of England;" but with notorious partiality, and in language not fit for the lips of a clergyman, a scholar, or a Christian; every page or paragraph, almost, labours with the cry of "rebellion, treason, parricide, faction, stupid ignorance, hypocrisy, cant, and downright knavery and wickedness," on one side; and "loyalty, learning, primitive sanctity, and the glorious spirit of martyrdom," on the other. One must conclude from the doctor, that there was hardly a wise or honest patriot with the parliament, nor a weak or dishonest gentleman with the king. His preface* is one of the most furious invectives against the seven most glorious years of queen Anne that ever was published; it blackens the memory of the late king William III. to whom he applies that passage of Scripture, "I gave them a king in my anger, and took him aw[ay] in my wrath;" it arraigns the great duke of Marlborough, the gl[ory] of the English nation, and both houses of parliament, as in a c[on]federacy to destroy the church of England, and dethrone the q[ueen]. "Rebellion (says the doctor) was esteemed the most neces[sary] quisite to qualify any one for being intrusted with the gov[ern]ment; and disobedience the principal recommendation for her[oic] service.——Those were thought the most proper perso[ns]

* Preface, p. 8—11.

the throne, who, on the first dislike, were every whit as ready to guard the scaffold; yea, her majesty was in effect told all this to her face, in the greatest assembly of the nation. And to say all that can be said of this matter, all the principles of 1641, and even those of 1648, have been plainly and openly revived."

Thus has this obscure clergyman dared to affront the great author, under God, of all our present blessings; and to stigmatize the Marlboroughs, the Godolphins, the Stanhopes, the Sunderlands, the Cowpers, and others, the most renowned heroes and statesmen of the age.

It must be confessed, that the tumults and riotous assemblies of the lower sort of people are insufferable in a well-regulated government; and without all question, some of the leading members of the long-parliament made an ill use of the populace, as tools to support their secret designs; but how easy were it to turn all this part of the doctor's artillery against himself and his friends; for Prynne, Burton, and Bastwick, in their return from their several prisons, were not attended with such a numerous cavalcade, as waited upon the late Dr. Sacheverel, in his triumphant progress through the western counties of England and Wales; nor did they give themselves up to the same excess of licentiousness and rage. If the mob of 1641 insulted the bishops, and awed the parliament, so did the doctor's retinue in 1710; nay, their zeal outwent their predecessors', when they pulled down the meeting-houses of Protestant dissenters, and burnt the materials in the open streets, in maintenance of the doctrines of passive obedience and nonresistance, which their pious confessor had been preaching up; "a bold insolent man (says bishop Burnet), with a very small measure of religion, virtue, learning, or good sense:" but to such extremes do men's passions carry them, when they write to serve a cause! I have had occasion to make some use of Dr. Walker's confused heap of materials, but have endeavoured carefully to avoid his spirit and language.

No man has declaimed so bitterly against the proceedings of parliament upon all occasions, as this clergyman; nor complained more loudly of the unspeakable damage the liberal arts and sciences sustained, by their purging the two universities: the new heads and fellows of Oxford are called, "a colony of Presbyterian and Independent novices from Cambridge; a tribe of ignorant enthusiasts and schismatics; an illiterate rabble swept from the plough-tail, from shops and grammar-schools," &c.* The university of Cambridge is reported by the same author, "to be reduced to a mere monster by the knipper-dolings of the age, who broke the heart-strings of learned men, who thrust out one of the eyes of the kingdom, and made eloquence dumb; philosophy sottish; widowed the muses; drove away the muses from their ancient habitation, and [illegible] the reverend and orthodox professors out of their chairs.—[illegible]ned religion into rebellion, and changed the apostolical [illegible] a desk for blasphemy.—They took the garland from off [illegible] learning, and placed it on the dull brows of ignorance.

* Walker's Introduct. p. 139, 140.

—And having unhived a numerous swarm of labouring bees, they placed in their room swarms of senseless drones.—"* Such is the language of our historian, transcribed from Dr. Berwick! I have carefully looked into this affair, and collected the characters of the old and new professors from the most approved writers, that the disinterested reader may judge, how far religion and learning suffered by the exchange.

The close of this volume, which relates the disputes between the parliament and army; the ill success of his majesty's arms and treaties; the seizure of his royal person a second time by the army; his trial before a pretended high court of justice, and his unparelleled execution before the gates of his royal palace by the military power, is a most melancholy and affecting scene; in which, next to the all-disposing providence of God, one cannot but remark the king's inflexible temper, together with the indiscretion of his friends, especially his divines, at a time when his crown was lost by the fortune of war, and his very life at the mercy of his enemies; nor is the unwarrantable stiffness of the parliament less unaccountable, when they saw the victorious army drawing towards London, flushed with the defeat of the Scots and English loyalists, and determined to set aside that very uniformity they were contending for. If his majesty had yielded at first what he did at last, with an appearance of sincerity; or, if the two houses had complied with his concessions while Cromwell was in Scotland; or if the army had been made easy by a general indulgence and toleration, with the distribution of some honours and bounty-money among the officers, the crown and constitution might have been saved; "but so many miraculous circumstances contributed to his majesty's ruin (says lord Clarendon†), that men might well think that heaven and earth conspired it."

The objections to the first volume of the History of the Puritans, by the author of "The vindication of the government, doctrine, and worship, of the church of England," obliged me to review the principal facts in a small pamphlet, wherein I have endeavoured to discharge myself as an historian, without undertaking the defence of their several principles, or making myself an advocate for the whole of their conduct. I took the liberty to point out the mistakes of our first reformers, as I passed along, but with no design to blacken their memories; for, with all their foibles, they were glorious instruments in the hand of Providence, to deliver this nation from antichristian bondage; but they were free to confess, the work was left imperfect; that they had gone as far as the times would admit, and hoped their successors would bring the Reformation to a greater perfection.

But the state of the controversy was entirely changed in the time of the civil wars; for after the coming in of the Scots Puritans did not fight for a reformation of the hierarchy, but the generous principles of religious liberty to all peaceable subjects; but for the same spiritual power the bishops had [illegible] for when they had got rid of the oppression of the spiritual

* Walker's Introd. p. 115. Querela Cant. † V[illegible]

under which they had groaned almost fourscore years, they were for setting up a number of Presbyterian consistories in all the parishes of England, equally burdensome and oppressive. Unhappy extreme! that wise and good men should not discover the beautiful consistency of truth and liberty! Dr. Barrow and others have observed, that in the first and purest ages of Christianity, the church had no coercive power, and apprehend that it may still subsist very well without it.

The body of Protestant dissenters of the present age have a just abhorrence of the persecuting spirit of their predecessors, and are content that their actions be set in a fair light, as a warning to posterity. They have no less a dread of returning into the hands of spiritual courts, founded on the bottomless deep of the canon law, and see no reason why they should not be equally exposed, till they are put upon a better foot; though it is an unpardonable crime, in the opinion of some churchmen, to take notice, even in the most respectful manner, of the least blemish in our present establishment, which, how valuable soever in itself, is allowed by all to be capable of amendments. Some little essays of this kind have fired the zeal of the bishop of Litchfield and Coventry,* who, in a late charge to the clergy of his diocess, is pleased to lament over the times in the following mournful language: "At so critical a juncture (says his lordship), when common Christianity is treated with an avowed contempt and open profaneness, when an undisguised immorality prevails so very generally; when there is scarce honesty enough to save the nation from ruin; when, with regard to the established church in particular, the royal supremacy is professedly exposed, as inconsistent with the rights of conscience, even that supremacy, which was the groundwork of the Reformation among us from Popery, which was acknowledged and sworn to by the old Puritans, though now, inconsistently enough, disowned and condemned in the new history and vindication of them and their principles:—when so destructive an attempt has been made on the legal maintenance of the clergy by the late tithe-bill, and consequently on the fate of the Christian religion among us:—when an attempt has been lately made on the important outworks of our ecclesiastical establishment, the corporation and test acts, with the greatest insolences towards the church, and most undutiful menaces to the civil government:—when the episcopal authority has been well nigh undermined, under a pretence of reforming the ecclesiastical courts; and if that order had been rendered useless, as it must have been when it had lost its authority, then the revenues would have been soon thought useless; and in the result of things, the order itself might have been considered as superfluous, and perhaps in due time thought fit to be abolished:—when churches have been put into such a method of repair, as would end in their ruin in a little time; and when the correction of the abuses of the commercial licences has been laboured in so absurd a manner, as to make the marriage of minors without consent of their parents more frequent:—when these melancholy circumstances have so

* Dr. Smallbrook.

lately concurred, it is natural to infer, our zeal for the church should be in proportion to its danger; and if these are not proper occasions for zeal for our ecclesiastical constitution, it is not easy to assign circumstances that may justly demand it."* How fine and subtile are these speculations! I have not observed any insolences towards the church, or undutiful menaces to the civil government, in the late writings of the dissenters; but if one pin of the hierarchy be removed by the wisdom of the legislature, the whole building is supposed to fall, and all religion along with it. His lordship therefore advises his clergy to study the bishop† of London's Codex, in order to defend it; and it can do them no real prejudice to examine, at the same time, the principles of law and equity on which it is founded.‡ As to the dissenters, his lordship adds, " However, it will become us of the clergy, in point of prudence, not to give any just suspicions of our disgust to the legal toleration of them, while they keep within due bounds; that is, while they do not break in upon the privileges and rights of the established church, by declaring against all legal establishments, or the legal establishment of the church of England in particular, or by not being quiet with the present limits of their toleration, or by affecting posts of authority, and thereby breaking down the fences of the church, and placing themselves on a level with it."§ But whether this would remain a point of prudence with his lordship, if the boundaries of his episcopal power were enlarged, is not very difficult to determine.

The dissenters have no envy nor ill-will to the churches of England or Scotland, established by law (attended with a toleration of all peaceable dissenters), any farther than they encroach on the natural or social rights of mankind; nor are they so weak as not to distinguish between high dignities, great authority, and large revenues, secured by law, and a poor maintenance arising from the voluntary contributions of the people, that is, between an establishment and a toleration.

But I am to attend to the charge of inconsistency brought against myself; I had observed, upon the reign of the bloody queen Mary,‖ that an absolute supremacy over the consciences of men, lodged with a single person, might as well be prejudicial as serviceable to true religion; and in the beginning of the reign of queen Elizabeth,¶ that the powers then claimed by the kings and queens of England, were in a manner the same with those claimed by the popes in the times preceding the Reformation, except the administration of the spiritual offices of the church. This was that supremacy which was the groundwork of the Reformation; of which I say, let the reader judge how far these high powers are agreeable or consistent with the natural rights of mankind. His lordship calls this a confessed exposing the royal supremacy, and the rather, because "the supremacy was acknowledged and sworn to by the old Puritans themselves, though now inconsistently enough disowned

* Charge, p. 41, 42. 44. † Dr. Gibson.
‡ See a late excellent examination of the Codex Juris Eccl. Anglicani.
§ Charge, p. 46. ‖ Hist. Pur. vol. 1. p. 70. ¶ Ibid. p.

demned by their historian." But surely his lordship should have informed his clergy at the same time, in what sense the Puritans took the oath, when it was before his eyes, in the same page; and my words are these: "The whole body of the Papists refused the oath of supremacy, as inconsistent with their allegiance to the pope; but the Puritans took it under all these disadvantages, with the queen's explication in her injunctions, that is, that no more was intended, than that her majesty, under God, had the sovereignty and rule over all persons born in her realm, either ecclesiastical or temporal, so as no foreign power had, or ought to have, any superiority over them."* Where is the inconsistency of this conduct of the old Puritans, or their new historian? Or, where is the dissenter in England, who is not ready to swear to it with this explication?

But his lordship is pleased to reason upon this head; and in order to support that absolute supremacy, which was the groundwork of the Reformation, affirms, that "all Christian kings and emperors have the same power of reforming religion, and are under the same obligations, as the Jewish kings were in cases of the like nature,"† without producing the least evidence or proof; whereas his lordship knows, that the government of the Jews was a theocracy; that God himself was their king, and the laws of that nation strictly and properly the laws of God, who is Lord of conscience, and may annex what sanctions he pleases; their judges and kings were chosen and appointed by God, not to make a new codex or book of laws, either for church or state, but to keep the people to the strict observation of those laws and statutes that he himself had given them by the hand of Moses.

His lordship is pleased to ask, "If any high pretender to spiritual liberty, and the rights of conscience, should inquire what authority the respective Jewish and Christian powers had to interpose in matters that regarded the rights of conscience; since in fact their assumed supremacy was a usurpation of those natural rights?"‡— I answer, that with regard to the Jews, it was no usurpation, for the reasons before mentioned; and when his lordship shall prove a transfer of the same power to all Christian princes, the controversy will be brought to a short issue. "— But will it not be replied (says the bishop), that those kings and emperors were intrusted by God with the care of the ecclesiastical as well as civil constitution?—"§ If, by the care of the constitution, be meant no more than the preserving their subjects in the enjoyment of their unalienable rights, nobody denies it; but if, under this pretence, they assume a sovereign and arbitrary power of modelling the ecclesiastical constitution, according to their pleasure, and of enforcing their subjects' obedience by canons and penal laws, I should doubt whether they are obliged to comply, even in things not absolutely sinful in themselves, because it may derogate from the kingly office of Christ, who is sole king and lawgiver in his own kingdom, and has delegated this branch of his authority to any vicar-general

* Hist. Pur. p. 114. See Strype's Ann. vol. 1. p. 159.
† Preface, p. 20. ‡ Ibid. p. 21. § Ibid. p. 22.

upon earth. But I readily agree with his lordship, that if any high pretender to the rights of conscience should have asked the first Christian emperors, by what authority they took on themselves the alteration or change of religion, they would have thought the question unreasonable, and worthy of censure; they would have affirmed their own sovereignty, and have taught the bold inquirers, as Gideon did the men of Succoth, with briers and thorns of the wilderness.

The bishop goes on; "Let us now transfer this power of Jewish kings and Christian emperors to our own kings, and the case will admit of an easy decision.—"* If indeed an absolute supremacy in matters of religion, be the natural and inalienable right of every Christian king and emperor, the dispute is at an end; but if it depend upon a transfer, we must beg pardon, if we desire his lordship to produce his commission for transferring the same powers, that Almighty God gave the Jewish kings of his own appointment, to the first Christian emperors, who were neither chosen by God, nor the people, nor the senate of Rome, but usurped the supreme authority, by the assistance of the military arm, and were some of them the greatest tyrants and scourges of mankind.

His lordship adds, "Have not the English kings, since the Reformation, actually been invested with the same supremacy as the Jewish kings and Christian emperors were?"† I answer, such a supremacy is, in my judgment, inconsistent with our present constitution, and the laws in being. The supremacy claimed by king Henry VIII. and his successors, at the Reformation, was found by experience too excessive, and therefore abridged in the reigns of king Charles I. and king William III. No one doubts but the kings of England are obliged to protect religion, and defend the establishment, as long as the legislature think fit to continue it; but as they may not suspend or change it by their sovereign pleasure, so neither may they publish edicts of their own to enforce it, as was the case of the first Christian emperors. The reader will excuse this digression, as necessary to support a principal fact of my history.

I am sufficiently aware of the delicacy of the affairs treated of in this volume, and of the tenderness of the ground I go over; and though I have been very careful of my temper and language, and have endeavoured to look into the mysterious conduct of the several parties with all the indifference of a spectator, I find it very difficult to form an exact judgment of the most important events, or to speak freely without offence; therefore, if any passionate or angry writer should appear against this, or any of the former volumes, I humbly request the reader to pay no regard to personal reflections, or to any insinuations of any ill designs against the established religion, or the public peace; which are entirely groundless. I am as far from vindicating the spirit and conduct of the warmer Puritans, as of the governing prelates of those times. There was hard measure on both sides, though, if we separate [illegible] from principles of pure religion, the balance will be very [illegible]

* Charge, p. 22. † Ib[illegible]

favour of the Puritans. In historical debates, nothing is to be received upon trust, but facts are to be examined, and a judgment formed upon the authority by which those facts are supported; by this method we shall arrive at truth; and if it shall appear, that in the course of this long history, there are any considerable mistakes, the world may be assured, I will take the first opportunity to retract or amend them; having no private or party views, no prospect of preferment, or other reward for my labours, than the satisfaction of doing some service to truth, and to the religious and civil liberties of mankind; and yet, after all, I must bespeak the indulgence and candour of my readers, which those, who are sensible of the labour and toil of collecting so many materials, and ranging them in their proper order, will readily allow to one, who sincerely wishes the prosperity and welfare of all good men, and that the violence and outrage of these unhappy times, which brought such confusion and misery both on king and people, may never be imitated by the present, or any future age.

DANIEL NEAL.

London, Nov. 4, 1735.

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HISTORY

OF

THE PURITANS.

CHAP. I.

FROM THE BATTLE OF EDGEHILL TO THE CALLING THE ASSEMBLY OF DIVINES AT WESTMINSTER.

THE king having recruited his army at Oxford, after the battle of Edgehill, by the assistance of the university, who now gave his majesty all their money, as they had before done their plate, resolved to pursue his march to London, in order to break up the parliament, and surprise the city; while the earl of Essex, imagining the campaign was ended, lay quiet about Warwick, till being informed of the king's designs, he posted to London, and ordered his forces to follow with all expedition. The earl arrived November 7, 1742, and was honourably received by both houses of parliament, who presented him with a gratuity of 5,000*l.* and to strengthen his army passed an ordinance, that such apprentices as would list in their service should be entitled to a freedom of the city at the expiration of their apprenticeship, equally with those who continued with their masters. In the beginning of November, the king took possession of Reading without the least resistance, the parliament-garrison having abandoned it, which alarmed both houses, and made them send an express to desire a safe conduct for a committee of lords and commons, to attend his majesty with a petition for peace;* the committee waited on his majesty at Colnbrook, fifteen miles from London, and having received a favourable answer,† reported it to the two houses, who immediately gave

* Rushworth, vol. 5. p. 58.

† "He seemed to receive the petition with great willingness; and called God to

orders to forbear all acts of hostility, and sent a messenger to the king, to desire the like forbearance on his part; but the committee had no sooner left Colnbrook, than his majesty, taking the advantage of a thick mist, advanced to Brentford about seven miles from London,* which he attacked with his whole army, November 13, and after a fierce and bloody rencounter with the parliament-garrison, wherein considerable numbers were driven into the Thames and slain, he got possession of the town, and took a great many prisoners. The consternation of the citizens on this occasion was inexpressible, imagining the king would be the next morning at their gates; upon which the lord-mayor ordered the trained bands immediately to join the earl of Essex's forces, which were just arrived at Turnham-green, under the command of major-general Skippon; and there being no farther thoughts of peace, every one spirited up his neighbour, and all resolved as one man to live and die together. Major Skippon went from regiment to regiment, and encouraged his troops with such short soldier-like speeches as these; "Come, my boys! my brave boys! I will run the same hazards with you; remember, the cause is for God and the defence of yourselves, your wives and children. Come, my honest brave boys! let us pray heartily, and fight heartily, and God will bless us." When they were drawn up, they made a body of about

witness, in many protestations, that he was tenderly compassionate of his bleeding people, and more desirous of nothing than a speedy peace." May's Parliamentary History, b. 3. p. 33.—The immediate subsequent conduct of the king was, certainly, not consistent with such professions: yet Dr. Grey is displeased with Mr. Neal, for insinuating that it was a breach of promise, and accuses him of not giving the fairest account of this action, which, he says, the king sufficiently justified. But, when the doctor passed this censure, it seems that he had not looked forward to the next paragraph, where the motives of the king's behaviour are stated. The committee, deputed by the parliament to Colnbrook, consisted of the earls of Northumberland and Pembroke, lord Wainman, Mr. Pierpoint, sir John Ipsley, and sir John Evelyn: when the king refused to admit the last gentleman, because he had named him a traitor the day before; the parliament, though extremely displeased with the exception, so far as to vote it a breach of privilege, yet, from their ardent desire of accommodation, permitted the petition to be presented without sir John Evelyn. May, b. 3. p. 32.—This yielding conduct leaves the king more inexcusable, as it serves to shew the sincerity of the parliament in their overtures; and lord Clarendon says, that it was believed by many, that had the king retired to Reading, and waited there for the answer of the parliament, they would immediately have withdrawn their garrison from Windsor, and delivered that castle to his majesty for his accommodation to have carried on the treaty he had proposed. History, vol. 2. p. 73.—The motives, on which the king acted, in the action at Brentford, which Mr. Neal has compressed into one paragraph, Dr. Grey, by large quotations on different authorities, has extended through four pages, which affords a parade of confuting Mr. Neal.—Ed.

* Whitelocke, p. 64.

twenty-four thousand men eager for battle; but their orders were only to be on the defensive, and prevent the king's breaking through to the city. The two armies having faced each other all day, his majesty retreated in the night to Kingston, and from thence to Reading, where having left a garrison, he returned to Oxford about the beginning of December with his Brentford prisoners, the chief of whom were condemned to die,* and had been executed for high treason, if the two houses had not threatened to make reprisals.† The parliament, to prevent a like surprise of the city for the future, empowered the lord-mayor to cause lines of circumvallation to be drawn around it, and all the avenues fortified.

It was not without reason that the two houses complained of the king's extraordinary conduct on this occasion, which was owing to the violent counsels of prince Rupert and lord Digby, animated by some of his majesty's friends in the city, who imagined, that if the royal army appeared in the neighbourhood of London, the parliament would accept of his majesty's pardon and break up; or else the confusions would be so great, that he might enter and carry all before him; but the project having failed, his majesty endeavoured to excuse it in the best manner he could: he alleged, that there being no cessation of arms agreed upon, he might justly take all advantages against his enemies. He insisted farther upon his fears of being hemmed in by the parliament's forces about Colnbrook, to prevent which, it seems, he marched seven miles nearer the city. Lord Clarendon

* Rushworth, vol. 5. p. 93.

The persons named by Rushworth, whom Mr. Neal quotes, were, Clifton Catesby, John Lilburne, and Robert Vivers. Dr. Grey says, that "it does not appear that these three were taken prisoners at Brentford." He should have added, from this place in Rushworth, to which the reference is here made. For in p. 83, Rushworth informs his readers, with respect to Lilburne in particular, that he owned that he was at Brentford: and by the others being included in the same sentence, it is probable, that they were involved in the same charge of acting against the king at Brentford.

† On the authority of lord Clarendon and Mr. Echard, Dr. Grey charges the chaplains of the parliament-army, Dr. Downing and Mr. Marshall, with publicly avowing "that the soldiers lately taken at Brentford, and discharged by the king upon their oaths that they would never again bear arms against him, were not obliged by that oath," and with absolving them from it. The doctor is also displeased with Mr. Oldmixon for treating this account as a falsehood. But he suppresses the grounds of Mr. Oldmixon's censure of it, which are these; in the first place, that there was no occasion to use these arts, when the prisoners amounted to but one hundred and fifty men, which could not be wanted when the city of London was pouring out recruits:—and then priestly absolution was not the practice, nor the power of it the claim, of Puritan divines. Rushworth, vol. 5. p. 59. Oldmixon's History of the Stuarts, p. 214.—Ed.

says,* prince Rupert having advanced to Hounslow without order, his majesty at the desire of the prince marched forward, to disengage him from the danger of the forces quartered in that neighbourhood; which is so very improbable, that, in the opinion of Mr. Rapin, it is needless to refute it.† Upon the whole, it is extremely probable, the king came from Oxford with a design of surprising the city of London before the earl of Essex's army could arrive; but having missed his aim, he framed the best pretences to persuade the people, that his marching to Brentford was only in his own defence.

Though his majesty took all occasions to make offers of peace to his parliament, in hopes the nation would compel them to an agreement, by leaving him in possession of all his prerogatives, it is sufficiently evident he had no intentions to yield any thing to obtain it,‡ for in his letter to duke Hamilton, dated December 2, 1642, he says, "he had set up his rest upon the justice of his cause, being resolved that no extremity or misfortune should make him yield, for (says his majesty) I will be either a glorious king or a patient martyr; and as yet not being the first, nor at this present apprehending the other, I think it no unfit time to express this my resolution to you."§ The justice of the cause upon which his majesty had set up his rest, was his declaration and promise to govern for the future according to the laws of the land; but the point was, to know whether this might be relied upon. The two houses admitted the laws of the land to be the rule of government,‖ and that the executive power in the time of peace was with the king;¶

* History, p. 74. † Rapin, vol. 2. p. 465. fol.

‡ Without controverting Mr. Neal's authority, Dr. Grey calls this a bold assertion, and appeals to various messages for an accommodation, which the king sent to the parliament. But of what avail, to prove a yielding and accommodating temper, are speeches without actions; or softening overtures, unless they be followed up by mild and pacific measures, adopted with sincerity, and adhered to with firmness; Did Charles I. act with this consistency? Let them who are acquainted with the history of his reign answer the question. Even lord Clarendon owns his belief, that in matters of great moment, an opinion that the violence and force used in procuring bills rendered them absolutely void, influenced the king to confirm them. History, vol. 1. p. 430.—What confidence could be placed in the professions and sincerity of a man who could not be displeased with the earl of Northumberland, because he would not perjure himself for lord-lieutenant Strafford? Sydney's State Papers quoted by Dr. Harris; Life of Charles I. p. 79. who has fully stated the evidence of Charles's dissimulation and want of faith. See also An Essay towards a true idea of the character and reign of Charles I. p. 93, &c.—Ed.

§ Duke of Hamilton's Memoirs, b. 4. p. 203. ‖ Rapin, vol. 2. p. 466.

¶ "Our laws have no where, that I know of, distinguished (says Dr. Grey)

but his majesty had so often dispensed with the laws by the advice of a corrupt ministry, after repeated assurances to the contrary thereof, that they durst not confide in his royal word, and insisted upon some additional security for themselves, and for the constitution.* On the other hand, his majesty averred the constitution was in no danger from him, but from themselves, who were acting every day in defiance of it. To which it was answered, that it was impossible the laws should have their due course in time of war as in the height of peace, because this must effectually tie up their hands. Neither party by law could raise money upon the subject, without each other's consent; the king could not do it without consent of parliament, nor the parliament without the royal assent, and yet both had practised it since the opening of the war. To have recourse, therefore, to the laws of a well-settled government in times of general confusion, was weak and impracticable. Besides, his majesty refused to give up any of his late ministers to the justice of parliament; for in his letter to duke Hamilton, he says, that "his abandoning the earl of Strafford had gone so near him, that he was resolved no consideration should make him do the like again." Upon these resolutions, he declined the mediation of the Scots commissioners, which gave the several parties engaged against him, a fair opportunity of uniting their interests with that nation.

This was a nice and curious affair; the friends of the parliament, who were agreed in the cause of civil liberty, were far from being of one mind in points of church-discipline; the major part were for episcopacy, and desired no more than to secure the constitution, and reform a few exorbitances of the bishops; some were Erastians, and would be content with any form of government the magistrate

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between times of peace or war, with regard to the king's executive power." This is true; but it was the infelicity of the times, of which Mr. Neal writes, that there arose new questions out of the present emergency for which the standing laws had made no provision; and difficulties to which they did not apply.—Ed.

* "Mr. Neal (says Dr. Grey) has not produced one single proof in support of this assertion, and I challenge him to instance in particulars." This may appear a bold challenge from a writer, who professed to be conversant in the history of those times. But as the doctor has thrown it out, we will produce an instance of the king's violation of his word. He gave his assent to the petition of right, a kind of second magna charta: which he immediately violated, and continued to do for twelve years together. Essay towards a True Idea, &c. p. 94.—Ed.

should appoint; the real Presbyterians, who were for an entire change of the hierarchy upon the foot of divine right, were as yet but few, and could carry nothing in the house; it was necessary therefore in treating with the Scots, who contended earnestly for their kirk-government, to deliver themselves in such general expressions, that each party might interpret them as they were inclined, or as should be expedient. This contented the Scots for the present, and left the parliament at full liberty, till they saw what terms they could make with the king. Nor could the churchmen be dissatisfied, because they knew if they could put a period to the war without the Scots, the two houses would not call in their assistance, much less submit to a kirk-discipline with which they had no manner of acquaintance; and therefore lord Clarendon was of opinion,* that even at the treaty of Uxbridge, if the parliament could have obtained an act of oblivion for what was past, and good security for the king's government by law, the affair of religion might easily have been compromised; but it required all the prudence and sagacity the two houses were masters of, to keep so many different interests in points of religion, united in one common cause of liberty and the constitution, at a time when great numbers of the king's friends in the very city of London, were forming conspiracies to restore him without any terms at all.

The king's affairs had a promising aspect this winter; his forces in the north under the earl of Newcastle were superior to those of lord Ferdinando Fairfax. In the western and midland counties there were several sieges and rencounters with various success, but nothing decisive. Divers counties entered into associations for their mutual defence on both sides.† The four northern counties, of Northumberland, Cumberland, Westmoreland, and Durham, associated for the king;‡ after which the two houses encouraged the like in those that owned their authority, and appointed

* Dr. Grey asks, "Where does lord Clarendon discover this opinion? As he (i. e. Mr. Neal) is faulty even when he quotes his authorities, I am unwilling to take his word, when he makes no reference at all." What will the reader think of the candour of this insinuation, when he is told, that the passages to which Mr. Neal refers are to be found in p. 581 and 594 of the second volume of lord Clarendon's History; and that they are expressly quoted, and the references are pointed out in Mr. Neal's account of the treaty at Uxbridge?—Ed.

† Rushworth, vol. 5. p. 66.

‡ Ibid. p. 94.

generals to command their troops; the chief of which was the eastern association of Essex, Cambridgeshire, the isle of Ely, Hertford, Norfolk, Suffolk, and the city of Norwich, whose militia were trained, and ready to march where necessity should require within their several limits. In some parts of England the inhabitants resolved to stand neuter, and not be concerned on either side; but the parliament condemned and disannulled all such agreements.

As the two houses depended upon the assistance of the Scots, his majesty had expectations of foreign aids from the queen, who had endeavoured, by the influence of her son-in-law the prince of Orange, to engage the states of Holland in the king's interest, but they wisely declared for a neutrality; however, they connived at her private negotiations, and gave her a general passport, by virtue whereof she transported a very large quantity of arms and ammunition to Burlington-bay, and conveyed them to the king at York. His majesty also, in order to bring over the Irish forces under the command of the duke of Ormond, consented to a truce with the Irish rebels [signed September 15, 1643], in which he allowed the Catholics to remain in possession of what they had conquered since the Rebellion, to the great grief of the Protestants, who by this means were legally dispossessed of their estates: a most unpopular action, in favour of a people who, by their late massacre, were become the very reproach and infamy of human nature!* Thus the whole kingdom was marshalled into parties, with their drawn swords eager to plunge them into each other's breasts.†

The parliament's cause having a dark and threatening

* To wipe off the reflections which this transaction brings on the character of Charles I. Dr. Grey is large in producing authorities to shew, that the situation of the Protestants and of the army in Ireland, through the length of the war and the failure of supplies from England, required a cessation of arms. But, if the reader would see a full investigation of this business, he should consult Mrs. Macaulay's History, vol. 4. 8vo. p. 63—90. Two circumstances will afford a clue into the policy and design of this truce. To prevent opposition to it in the Irish council, the members who were suspected of an attachment to the parliament of England, were committed close prisoners to the castle. And the king derived from it, as the price of granting it, 38,000*l.* to assist him to carry on the war against his Protestant subjects in England. I will only add, that the main point aimed at by the rebels, and which the king encouraged them to expect, was a new parliament; which as the kingdom was circumstanced, would have put the whole power of government into their hands. Mrs. Macaulay, p. 845.—Ed.

† Rushworth, vol. 5. p. 537—539. 548.

aspect, the lords and commons were not forgetful to implore the divine blessing upon their counsels and arms; for which purpose they published an ordinance, February 15, 1642—3, exhorting to the duty of repentance, as the only remedy to prevent public calamities. It was drawn up by some of the Puritan divines; and because bishop Kennet has branded it with the reproachful characters of cant, broad hypocrisy, and a libel against the church, I will transcribe the substance of it in their own words.

"That flourishing kingdoms have been ruined, by impenitent going on in a course of sin, the sacred story plainly tells us; and how near to ruin our sinful nation now is, the present lamentable face of it does too plainly shew. And though we should feel the heavy stroke of God's judgments yet seven times more, it is our duty to accept the punishment of our iniquities, and to say, Righteous art thou, O Lord, and just are thy judgments. Yet, because the Lord, who is just, is also merciful, and in his infinite mercy has left the excellent and successful remedy of repentance to nations brought near the gates of destruction and despair, O! let not England be negligent in the application of it. Humble addresses of a penitent people to a merciful God have prevailed with him: they have prevailed for Nineveh when sentence seemed to be gone out against her; and may also prevail for England.

"It is therefore thought necessary, by the lords and commons in parliament assembled, that all his majesty's subjects be stirred up to lay hold of this only and unfailing remedy of repentance, freely acknowledging, and heartily bewailing with deepest humiliation, both their own personal sins, and those of the nation; a confession of national sins being most agreeable to the national judgments under which the land groans, and most likely to be effectual for the removing of them.

"Among the national sins are to be reckoned, the contempt of God's ordinances, and of holiness itself; gross ignorance, and unfruitfulness under the means of grace; multitudes of oaths, blasphemies, profanation of the sabbath by sports and games; luxury, pride, prodigality in apparel, oppression, fraud, violence, &c. a connivance, and almost a toleration, of the idolatry of Popery, the massacre of Ire-

land, and the bloodshed of the martyrs in queen Mary's time, which, having been a national sin, still calls for a national confession.

"Now, that all the sin and misery of this polluted and afflicted nation may be bitterly sorrowed for, with such grief of heart, and preparedness for a thorough reformation, as God may be pleased graciously to accept, it is ordained that all preachers of God's word do earnestly inculcate these duties on their hearers, that at length we may obtain a firm and happy peace, both with God and man; that glory may dwell in our land; and the prosperity of the gospel, with all the privileges accompanying it, may crown this nation unto all succeeding ages."*

The reverend prelate above mentioned makes the following remark upon this ordinance. "When once the two houses could descend to have such fulsome penitential forms put upon them, to adopt and to obtrude in their name upon the nation, it was a sure sign, that all that was sound and decent in faith and worship was now to be commanded into enthusiasm and endless schisms." I leave the reader to examine, whether he can find any ground for so severe a censure.

Though the king had rejected the Scots mediation, and set up his rest upon the justice of his cause, he was pleased before the beginning of the campaign to admit of a treaty with his two houses, for which purpose he sent a safe conduct to six lords, and as many commoners, with their attendants, to repair to him at Oxford, who, being admitted to an audience in one of the colleges, produced the following proposals, which were read by the earl of Northumberland:—

1. "That the armies may be disbanded on both sides, and the king return to his parliament.

2. "That delinquents may submit to a legal trial, and judgment of parliament.

3. "That all Papists be disbanded and disarmed.

4. "That his majesty will please to give his consent to the five bills hereafter mentioned.

5. "That an oath may be established by act of parliament, wherein the Papists shall abjure and renounce the pope's supremacy, transubstantiation, purgatory, worshipping the

* Rushworth, vol. 5. p. 141.

consecrated host, crucifixes, and images; and the refusing such oath lawfully tendered shall be a sufficient conviction of recusancy.——That your majesty will graciously please to consent to a bill for the education of the children of Papists in the Protestant religion.—And to another bill for the better puting the laws in execution against them.

6. "That the earl of Bristol, and lord Herbert, may be removed from your majesty's counsels, and from the court.

7. "That the militia may be settled in such manner as shall be agreed upon by both houses.

8. "That the chief justices and judges of the several courts of law may hold their place *quam diu se bene gesserint.*

9. "That such persons as have been put out of the commissions of the peace since April 1, 1642, may be restored, and that those whom the parliament shall except against be removed.

10. "That your majesty will please to pass the bill now presented, to secure the privileges of parliament from the ill consequences of the late proceedings against the lord Kimbolton and the five members.

11. "That an act may be passed for satisfying such public debts as the parliament has engaged the public faith for.

12. "That your majesty will please to enter into alliances with foreign Protestant powers, for the defence of the Protestant religion, and recovering the Palatinate.

13. "That in the general pardon, all offences committed before the 10th of January 1641, which have been or shall be questioned in the house of commons before the 10th of January 1643, be excepted,—That all persons concerned in the Irish rebellion be excepted; as likewise William earl of Newcastle, and George lord Digby.

14. "That such members of parliament as have been turned out of their places since the beginning of this parliament may be restored, and may have some reparation, upon the petition of both houses."*

These things being granted and performed, we shall be enabled, say they, to make it our hopeful endeavour, that your majesty and your people may enjoy the blessings of peace, truth, and justice.——

The bills mentioned in the fourth proposition were these:

* Rushworth, vol. 5. p. 165, 166.

The first is entitled, "An act for the suppression of divers innovations in churches and chapels in and about the worship of God; and for the due observation of the Lord's day, and the better advancement of preaching God's holy word in all parts of this kingdom."

It enacts, "That all altars and rails be taken away out of churches and chapels before April 18, 1643, and that the communion-table be fixed in some convenient place in the body of the church. That all tapers, candlesticks, basins, crucifixes, crosses, images, pictures of saints, and superstitious inscriptions in churches or churchyards, be taken away or defaced.

"That all damages done to the churches, or windows of churches, by the removal of any of the aforesaid innovations, be repaired by the proper officers of the parish or chapel.

"This act is not to extend to any image, picture, or monument for the dead."

It enacts farther, "That all bowing towards the altar, or at the name of Jesus, shall be forborne; and for the better observation of the sabbath, that all dancing, gaming, sports, and pastimes, shall be laid aside. That every minister that has cure of souls shall preach, or expound the Scriptures, or procure some other able divine to preach to his congregation every Lord's day in the forenoon; and it shall be lawful for the parishioners to provide for a sermon in the afternoon, and a lecture on the week-day, where there is no other lecture or preaching at the same time; and if any person oppose or hinder them, he shall forfeit 40*s.* to the poor."*

The second, entitled "An act for the utter abolishing and taking away of all archbishops, bishops, their chancellors, and commissaries," &c. has been already inserted in the former part of this history.†

The third is entitled, "An act for punishing scandalous clergymen, and others."

It ordains, "That the lord-chancellor, or lord-keeper, for the time being, shall award commissioners under the great seal, to persons of worth and credit in every county of England and Wales; which commissions, or any three or more of them, shall have power to inquire by the oaths

* Husband's Collections, fol. 119. † Vol. 2. p. 498, 499.

of twelve lawful men of the said country of the following offences in the clergy, viz. not preaching six times at least in a year, by any ecclesiastical persons having cure of souls under the age of sixty, and not hindered by sickness or imprisonment; of blasphemy, perjury, or subornation of perjury, fornication, adultery, common alehouse or tavern hunting, drunkenness, profane swearing or cursing, done or committed within three years past, by any parson or vicar, or other person having cure of souls, or by any lecturer, curate, stipendiary, schoolmaster or usher of any school. The commissioners shall take information by articles in writing; the party complaining to be bound in a recognizance of 10*l.* to prosecute at a time appointed: the articles of complaint being first delivered to the party complained of twenty days before the trial, that he may prepare for his defence. Upon conviction, by the verdict of twelve men, the party complained of shall be deprived of his spiritual promotions, and be adjudged a disabled person in law, to have and enjoy the same incumbency or ecclesiastical promotion. This act to continue till November 1, 1645, and no longer."*

The fourth is entitled, "An act against the enjoying pluralities of benefices by spiritual persons, and nonresidence."

It enacts, "That all persons, that have two or more benefices with cure of souls, of what yearly value soever they be, shall resign them all but one, before April 1, 1643, any licence, toleration, faculty, or dispensation, to the contrary notwithstanding.

"That if any spiritual person, having cure of souls, shall be absent from his cure above ten Sundays, or eighty days in a year, except in case of sickness, imprisonment, or except he be a reader in either university, or be summoned to convocation; and be thereof lawfully convicted in any court of justice, that his living shall be deemed void, and the patron have power to nominate another person, as if the former incumbent was dead."

The fifth, for calling an assembly of learned and godly divines to be consulted with by the parliament, for the settling of the government and liturgy of the church, and for the vindication and clearing of the doctrine of the church of England from false aspersions and interpretations, will

* Husband's Collections, fol. 140.

be inserted at large, when we come to the sitting of the assembly.

To the forementioned propositions and bills, his majesty, after a sharp reply* to the preamble, returned the following answer: That though many of them were destructive of his just power and prerogative, yet because they might be mollified and explained upon debates, he is pleased to agree that a time and place be appointed for the meeting of commissioners on both sides to discuss them, and to consider the following proposals of his own:†

1. "That his majesty's revenues, magazines, towns, forts, and ships, may be forthwith restored.

2. "That whatsoever has been done or published, contrary to the known laws of the land, and his majesty's legal rights, may be renounced and recalled.

3. "That whatever illegal power over his majesty's subjects has been exercised by either, or both houses, or any committee, may be disclaimed, and all persons that have been imprisoned by virtue thereof be forthwith discharged.

4. "That a good bill may be framed, for the better preserving the Book of Common Prayer from the scorn and violence of Brownists, Anabaptists, and other sectaries, with such clauses for the ease of tender consciences as his majesty has formerly offered.‡

5. "That all persons to be accepted out of the general pardon shall be tried *per pares*, according to common course of law, and that it be left to that, to acquit or condemn them.

6. "That in the meantime there be a cessation of arms, and free trade for all his majesty's subjects for twenty days."

His majesty desired the last article might be first settled, by which he proposed not only to gain time, but to provide himself with several necessaries from London, and to convoy safely to Oxford the ammunition and other stores the queen had lately landed at Burlington-bay;§ but the parliament were too sensible of his designs to consent to it.

* Dr. Grey disputes the propriety of this epithet, applied to the king's reply. The reader may judge of it by referring to lord Clarendon's History, vol. 2. p. 123, &c.—Ed.

† Rushworth, vol. 5. p. 169.

‡ The king had never made any offer of this kind but in general terms. Mrs. Macaulay.—Ed.

§ Rapin, vol. 2. p. 476, folio.

They therefore empowered their commissioners to begin with the first proposition, concerning restoring the revenues of the crown, and the delivery of his majesty's magazines, towns, forts, and ships, &c. All which they were authorized to agree to, on condition the persons with whom he would intrust them were such as they could confide in. To which the king replied, that the oaths of the officers were a sufficient security, and if they abused their trust he would leave them to the law. The commissioners then went upon the other articles, and spun out the treaty till the 12th of April, without concluding one single point. The king would be restored to the condition he was in before the war, upon a bare promise, that he would govern for the future according to law; but the parliament were resolved not to trust themselves nor the constitution in his hands, without the redress of some grievances, and a better security. Mr. Whitelocke says, that the commissioners (of which he was one) having been with the king one evening till midnight, gave his majesty such reasons to consent to a very material point, which would have much conduced to a happy issue and success of the treaty, that he told them, he was fully satisfied, and promised to let them have his answer in writing, according to their desire, next morning.* But when the commissioners were withdrawn, some of the king's bedchamber, and they went higher, fearing the king's concessions would tend to peace, never left persuading him, till he had altered his resolution, and gave orders for the following answer to be drawn up, directly contrary to what he had promised the commissioners.†

"As soon as his majesty is satisfied concerning his own revenue, magazines, ships, and forts, in which he desires nothing, but that the just known legal rights of his majesty, devolved to him from his progenitors, and of the persons

* Whitelocke's Memoirs, p. 65.

† Dr. Grey censures Mr. Neal, for not giving his reader Mr. Whitelocke's account of the king's great civility to the parliament-commissioners. We will supply the omission. "The commissioners were allowed by his majesty a very free debate with him, and had access to him at all times. He used them with great favour and civility: and his general Ruthen and divers of his lords and officers came frequently to their table. The king himself did them the honour sometimes to accept of part of their wine and provisions, which the earl (viz. of Northumberland) sent to him when they had any thing extraordinary." Whitelocke adds: "In this treaty the king manifested his great parts and abilities, strength of reason, and quickness of apprehension, with much patience in hearing what was objected against him: wherein he allowed all freedom." Memorials, p. 65.—Ed.

trusted by him, which have violently been taken from both, be restored to him and them——

"As soon as all the members of both houses shall be restored to the same capacity of sitting and voting in parliament as they had on the 1st of January 1641, the same right belonging unto them by their birthrights, and the free elections of those that sent them; and having been voted from them for adhering to his majesty in these distractions; his majesty not intending that this should extend either to the bishops, whose votes have been taken away by bill; or to such in whose places, upon new writs, new elections have been made.

"As soon as his majesty and both houses may be secured from such tumultuous assemblies, as to the great breach of the privileges, and the high dishonour of parliaments, have formerly assembled about both houses, and awed the members of the same; and occasioned two several complaints from the house of lords, and two several desires of that house to the house of commons, to join in a declaration against them, the complying with which desire might have prevented all the miserable distractions which have ensued; which security his majesty conceives can be only settled by adjourning the parliament to some other place, at the least twenty miles from London, the choice of which his majesty leaves to both houses.

"His majesty will then most cheerfully and readily consent, that both armies be immediately disbanded, and give a present meeting to both his houses of parliament, at the same time and place, at and to which the parliament shall agree to be adjourned.

"His majesty, being confident that the law will then recover its due credit and estimation, and that upon a free debate, in a full and peaceable convention of parliament, such provisions will be made against seditious preaching and printing against his majesty, and the established laws, which hath been one of the chief causes of the present distractions; and such care will be taken concerning the legal and known rights of his majesty, and the property and liberty of his subjects, that whatsoever hath been published or done in, or by colour of, any illegal declarations, ordinances, or order of one or both houses, or any committee of either of them, and particularly the power to raise arms without his

majesty's consent, will be in such manner recalled, disclaimed, and provided against, that no seed will remain for the like to spring out of for the future, to disturb the peace of the kingdom, and to endanger the very being of it."*

This resolute answer broke off the treaty, and left the quarrel to be decided by the sword; upon which bishop Kennet makes the following remark: "It is to be lamented, that some of the king's most intimate friends were against his concluding a peace, and others were against his obtaining an absolute victory. They were afraid he should comply, lest his prerogative might not be great enough to protect him; and yet afraid he should conquer, lest he might be tempted to assume an arbitrary power."† It is plain from hence, that by peace the king meant nothing but being restored to all the prerogatives of his crown as before the war, without any additional security; and that there was no room for a treaty till the previous question was determined, "Whether there was just reason to confide in the king, and restore him to his rights upon his bare promise of governing by law for the future?" For all the propositions necessarily led to this point, and till this was decided it was in vain to lose time upon the others.

Thus ended the year 1642, in which died the famous Tobias Crisp, D. D. third son of Ellis Crisp, of London, esq. He was born in Bread-street, London, 1600, educated at Eton-school, and having taken the degree of bachelor of arts at Cambridge retired to Oxford, and was incorporated into Baliol-college in the beginning of February 1626. In the year 1627 he became rector of Brinkworth in Wiltshire, and a few years after proceeded D. D. At Brinkworth he was much followed for his edifying manner of preaching, and for his great hospitality. Upon the breaking out of the war he was obliged to fly to London, to avoid the insolences of the king's soldiers; where his peculiar sentiments about the doctrines of grace being discovered, he met with a vigorous opposition from the city-divines. The doctor in his younger years had been a favourer of Arminianism, but changing his opinions, he ran into the contrary extreme of Antinomianism. He was certainly a learned and religious person, modest and humble in his behaviour, fervent and laborious in his ministerial work, and exact in his morals.

* Rushworth, vol. 5. p. 259, 260 † Compl. Hist. p. 135.

Mr. Lancaster, the publisher of his works, says, "that his life was so innocent and harmless from all evil, so zealous and fervent in all good, that it seemed to be designed as a practical confutation of the slander of those who would insinuate that his doctrine tended to licentiousness." The doctor was possessed of a very large estate, with which he did a great deal of good; but being engaged in a grand dispute against several opponents (if we may believe Mr. Wood) he overheated himself, and fell sick of the small-pox, of which he died February 27, 1642, and was buried in the family-vault in Bread-street, London.* In his last sickness he was in a most comfortable and resigned frame of mind, and declared to them that stood by, his firm adherence to the doctrines he had preached; that as he had lived in the belief of the free grace of God through Christ, so he did now with confidence and great joy, even as much as his present condition was capable of, resign his life and soul into the hands of his heavenly Father. He published nothing in his lifetime, but after his death his sermons were published in three volumes from his own notes, which, with some additions, were reprinted by his son, in one volume quarto, about the year 1689, and gave occasion to some intemperate heats among the Nonconformist ministers of those times.

Towards the end of this year died Robert lord Brooke, a virtuous and religious gentleman, a good scholar, and an eminent patriot, but a determined enemy of the hierarchy. In the beginning of the war he took part with the parliament, and being made lord-lieutenant of the counties of Warwick and Stafford, put himself at the head of twelve hundred men, and marched against the earl of Chesterfield at Litchfield, whom he dislodged from the town, March 1, but next day, as he was looking out of a window with his beaver up, and giving direction to his soldiers to assault St. Chad's church, adjoining to the close where the earl of Chesterfield's forces lay, a musket-ball struck him near the left eye, of which he instantly died. The Parliamentary Chronicle† calls him "the most noble, and ever-to-be-honoured and renowned pious lord Brooke, whose most illustrious name and memory, both for his piety, prudence, incomparable magnanimity, and heroic martial spirit, for his

* Wood's Athen. Oxon. vol. 2. p. 12, 13. † P. 272.

loyalty to the king, and fidelity to his country, deserves to remain deeply engraven in letters of gold on high-erected pillars of marble."* On the other hand archbishop Laud, in his Diary,† has some very remarkable observations upon his death, which shew the superstition of that prelate. "First (says his grace), I observe, that this great and known enemy to cathedral churches died thus fearfully; in the assault of a cathedral; a fearful manner of death in such a quarrel! Secondly, That this happened upon St. Chad's day, of which saint the cathedral bears the name. Thirdly, That this lord coming from dinner about two years since from the lord Herbert's house in Lambeth, upon some discourse of St. Paul's church then in their eye upon the water, said to some young lords that were with him, that he hoped to live to see that one stone of that building should not be left upon another; but that church stands yet, and that eye is put out, that hoped to see the ruins of it."‡

While the treaty of Oxford was depending, his majesty's friends in the city were contriving to bring him to London, and deliver the parliament into his hands.§ Mr. Tomkins, Chaloner, and Waller a member of the house of commons, in conjunction with some others, were to carry off the king's children, to secure the most active members of the house of commons, as Mr. Pym, Hampden, Strode, &c. to seize the Tower and the gates of the city, with the magazines, and to let in a party of the royal forces, who were to be at hand; for all which they had the king's commission, dated March 16, 1643. The day of rising was to be the last Wednesday in May: but the plot being discovered by a servant of Tomkins's before it was ripe for execution, the conspirators were apprehended and tried; Tomkins and Chaloner confessed the facts, and were executed; but Waller purchased his life for 10,000*l.* and was banished.‖

Upon this discovery both houses resolved to strengthen

* Parliamentary Chronicle, p. 272. † P. 211.

‡ It was the opinion of some of the royalists, and especially of the Roman Catholics, that the bullet was directed by St. Chad. It is observable, that the same man who was by one party looked upon as a monument of divine vengeance (see South's Sermons, serm. 1. p. 270.) was by the other revereneed as a saint. Baxter has placed him in heaven (Saints' Everlasting Rest, p. 82, 83. edit. 1649.) together with White, Pym, and Hampden." Granger's History of England, vol. 2. p. 144. 8vo. See also Mrs. Macaulay's History, vol. 3. p. 417, 418, note, 8vo.—Ed.

§ Rushworth, vol. 5. p. 322. Rapin, vol. 2. p. 487, folio. ‖ Ibid. p. 326, 327.

themselves by a new covenant or vow, which was tendered first to their own members, then to the army, and such of the people as were willing to take it.* In it they declare their abhorrence of the late plot, and engage not to lay down their arms as long as the Papists were protected from justice, but to assist the parliament according to their abilities in the just defence of the Protestant religion, and the liberties of the subject, against the forces raised by the king without their consent." Nevertheless the king's friends were not disheartened from entering into several other combinations against the parliament; one was discovered in August, and another towards the latter end of the year: even the lower sort of women, to the number of two or three thousand, with white silk ribands in their hats, went in a body to Westminster with a petition for peace upon the king's terms, and could not be dispersed without the military arm:† all which was occasioned by the correspondence the king held in London, notwithstanding the ordinance the parliament had published in April last, to prevent spies and intelligences from Oxford or the royal army, coming to any part of the parliament's quarters.

The king having failed in his designs of surprising the city, resolved at last to starve the citizens into their duty, for which purpose he issued a proclamation, July 17, prohibiting all intercourse of trade and commerce with them, and expressly forbidding all persons to travel to London, or to carry any goods, merchandise, or provisions, thither, without special licence from himself.‡ By another proclamation [Oct. 17] his majesty forbids his subjects of Scotland, and all foreign kingdoms and states in amity with him, to bring any ammunition, provision, goods, or merchandise, of any sort, to London, or any other town or city in rebellion against him. The prohibiting foreign merchandises had very little influence upon the trade of the city, because the parliament were masters of the seas; but the town of Newcastle being garrisoned by the king, the Londoners were distressed the following winter for coals, which obliged them to have recourse to the digging turf, and cutting down all fell wood on the estates of delinquents within sixty miles of London. By another proclamation his ma-

* Rushworth, vol. 5. p. 325. † Ibid. p. 357.
‡ Husband's Collections, folio, 237. 366.

jesty forbade all his subjects, upon pain of high treason, to obey the orders of parliament; and all tenants to pay their rents to such landlords as adhered to the rebellion, but to reserve them for his majesty's use.

After this account of things, it is reasonable to suppose that very extraordinary burdens must be laid upon the people on both sides to support the expenses of the war. The parliament at Westminster exercised every thing, even the necessaries of life: all butchers' meat paid one shilling in twenty; every rabbit a halfpenny; and pigeons one penny in the dozen. The king's parliament at Oxford did the like in his majesty's quarters; and by an ordinance of March 26 following, all persons within the cities of London and Westminster, and the bills of mortality, were to pay the weekly value of one meal a week, on every Tuesday, for the public service, which they were supposed to abate in their families.* Such were the hardships of the times!

The king's affairs this summer were very prosperous, and threatened the ruin of his enemies; for besides his army, which had been recruiting in the winter, the queen furnished him with foreign money, and with two thousand foot, a thousand horse, a hundred waggons laden with ammunition of all sorts, six pieces of cannon, and two mortars; upon which the house of commons impeached her of high treason, for levying forces without consent of parliament. In the month of April the earl of Essex besieged and took the town of Reading, from whence he marched within ten miles of Oxford, where prince Rupert with a party of horse beat up his quarters, and killed the famous Mr. Hampden in Chalgrave-field; after which Essex retired, and put his sickly forces into quarters of refreshment. In the north the king's armies had a train of successes. Lord Fairfax was defeated by the earl of Newcastle at Atherston-moor, June 30, and sir William Waller at the battles of Lansdown and Round-away-down, July 5 and 13, which was followed with the loss of Weymouth, Dorchester, Portland-castle, Exeter, and almost all the west. About the latter end of July prince Rupert besieged and took the city of Bristol, and the king himself sat down before Gloucester [August 10], which so alarmed the two houses, that the shops in London were or-

* For a more minute detail of the ways by which the parliament raised money, see Dr. Grey, vol. 2. p. 42, &c. and Historical Account of all Taxes, p. 296, 297.

† Rapin, vol. 2. p. 477, folio.

dered to be shut till the siege was raised, and a strong body of the trained bands dispatched to join the earl of Essex's broken troops, who, by this means, were in a condition in fifteen days to march to the relief of that important city; upon the earl's approach the king raised the siege, and Essex entered the town, when reduced to the last extremity; and having supplied it with necessaries, after three days returned towards London. The king being joined by prince Rupert with five thousand horse, got before him to Newbury, where both armies engaged with pretty equal success, till night parted them, when his majesty retired to Oxford, and left the way open for the earl to pursue his march.* In this battle the city trained bands, by their undaunted bravery, are said to have gained immortal honour. But it is the opinion of most historians, that if, instead of sitting down before Gloucester, the king had marched his victorious army directly to London after the taking of Bristol, he might have put an end to the war, the parliament being in no readiness to oppose him; however, it is certain, that about this time the royal cause was in the height of its prosperity, and the parliament's at so low an ebb, that they were obliged to throw themselves into the hands of the Scots. It is no part of my design to give a particular description of sieges and battles, or a recital of the military exploits of the heroes of these times, any farther than to inform the reader of the true situation of affairs, and to enable him to form a just idea of the grounds and reasons of those extraordinary measures that each party took for the support of their cause. Let us now, therefore, attend the affairs of the church.

The clergy on both sides had a deep share in the calamities of the times, being plundered, harassed, imprisoned, and their livings sequestered, as they fell into the hands of the enemy. The king's party were greatly incensed against the Puritan clergy, as the chief incendiaries of the people and trumpeters of rebellion. Such as refused to read the king's proclamations and orders against the parliament were apprehended, and shut up in the common jails of York, and other places within his majesty's quarters. When any parties of the royal army got possession of a town that adhered to the parliament, they inquired presently for the mi-

* Rushworth, vol. 5. p. 293, 294.

nister's house, which was rifled and plundered of every thing that was valuable, and himself imprisoned, if he could be found; but the incumbents usually took care to avoid the danger, by flying to the next parliament-garrison. Above thirty Puritan ministers took shelter in the city of Coventry after the fight of Edgehill. Great numbers came to London with their families in a naked and starving condition, leaving their books, and every thing they could not bring away, to the mercy of the king's soldiers. The prisoners underwent uncommon hardships, and would have been executed as rebels, if the parliament had not threatened reprisals.

On the other hand, the episcopal clergy were no less harassed by the parliament-soldiers; these being in possession of the best livings in the church, were liable to suffer the greatest damage; multitudes of them left their cures, and took sanctuary in the king's armies or garrisons, having disposed of their goods and chattels in the best manner they could. Others, who had rendered themselves obnoxious by their sermons, or declarations for the king, were put under confinement in Lambeth, Winchester, Ely, and most of the bishops' houses about London; and for want of room, about twenty, according to Dr. Walker, were imprisoned on board of ships in the river Thames, and shut down under decks, no friend being suffered to come to them.* The same writer observes, that about one hundred and ten of the London clergy were turned out of their livings in the years 1642 and 1643, and that as many more fled to prevent imprisonment; yet it ought to be remembered, that none were turned out or imprisoned, for their adhering to the doctrine or discipline of the church of England, till after the imposing of the Scots covenant, but for immorality, false doctrine, nonresidence, or for taking part with the king against the parliament. However, it is to be lamented that several pious and worthy bishops, and other clergymen, who withdrew from the world, and were desirous to live peaceably without joining either side, suffered afterward in common with the rest of their brethren; their estates and livings being sequestered, their houses and goods plundered by ungovernable soldiers, and themselves reduced to live upon the fifths, or a small pension from the parliament, either because they

* Walker's Suffering Clergy, part 2. p. 180.

could not take the covenant, or comply with the new directory for public worship. Among these we may reckon the most reverend archbishop Usher, bishop Morton, Hall, and many others. When the bishops' lands were seized for the service of the war, which was called Bellum Episcopale, or the Bishops' War, it was not possible to shew favour to any under that character: and though the two houses voted very considerable pensions to some of the bishops, in lieu of their lands that were sequestered, due care was not taken of the payment; nor would several of their lordships so far countenance the votes of the houses as to apply for it.

In order to account for these things, it will be necessary to set before the reader the proceedings of the several committees of religion from the beginning of the present parliament. It has been remembered, that a grand committee, consisting of the whole house of commons, was appointed November 6, 1640, to inquire into the scandalous immoralities of the clergy,* of which the famous Mr. White, member of parliament for Southwark, a good lawyer, and, according to Mr. Whitelocke, an honest, a learned, and faithful servant of the public, was chairman. Great numbers of petitions, with articles of misbehaviour, were brought before them, relating to superstition, heresy, or the immorality of their ministers, insomuch that the house was forced to branch the committee into several subdivisions, for the quicker dispatch of business. November 19, 1640, a subcommitttee was appointed "to consider how there may be preaching ministers set up where there are none; how they may be maintained where there is no maintenance, and all other things of that nature; also to inquire into the true grounds and causes of the great scarcity of preaching ministers throughout the kingdom, and to consider of some way of removing scandalous ministers, and putting others in their places." For which purposes the knights of shires and burgesses of the several corporations were ordered to bring informations within six weeks, of the state of religion in their respective counties. The sub-committee consisted of sixty-one members, together with the knights and burgesses of Northumberland, Wales, Lancashire, Cumberland, and the burgesses of Canterbury. Mr. White was chairman of this, as well as of the grand committee; they

* Walker's Attempt, p. 63.

had their regular meetings in the court of wards, and from the powers above mentioned, were sometimes called the committee for preaching ministers, but more usually for scandalous ministers. They had the inspection of all hospitals and free-schools, and were authorized to consider of the expediency of sending commissions into the several counties, to examine such clergymen as were accused, and could not with convenience be brought up to London.

But presentments against the clergy came in so fast, that for the dispatch of business they were obliged to divide again into several smaller committees, which, from the names of the gentlemen in the respective chairs, were called Mr. White's, Corbet's, sir Robert Harlow's, and sir Edward Deering's committees, &c.* Within a short space above two thousand petitions were brought before them, of which Mr. Corbet's committee had no less than nine hundred. Great complaints have been made of their severity, by those who will not believe the clergy were so corrupt as really they were; nor remember the political principles for which most of them suffered. The forms of proceeding in the committee were certainly unexceptionable, for they were obliged to give proper notice to the party accused to make his appearance; the witnesses were usually examined upon oath in his presence; a copy of the articles was given him if desired, and a reasonable time assigned to prepare for his defence.† The articles of inquiry on which they proceeded were, 1. Scandalous immoralities of life, as, drunkenness, swearing, incontinency, and sometimes blasphemy and sodomy. 2. False or scandalous doctrine, i. e. Popish and Arminian, these being understood to be inconsistent with the articles of the church of England. 3. Profanation of the sabbath, by reading and countenancing the book of sports. 4. Practising and pressing the late innovations, after they had been censured by the parliament as illegal. 5. Neglect of their cures, by not preaching according to their duty. 6. Malignancy and disaffection to the parliament, discovered by their assisting his majesty with money, and persuading others to do so; by reading the king's declarations, and refusing to read the parliament's: by not observing the parliament's fasts, but calling them rebels, traitors, and wishing the curse of God upon them and their cause. These

* Walker's Attempt, p. 65. † Ibid. p. 81.

were apprehended reasonable matters of inquiry, and just grounds of exception, as matters stood between the king and the two houses. And after all, the final determination was not with the committee; their opinion, with the evidence, was first laid before the grand committee, then it was reported to the whole house, and finally referred to the house of lords before it was decisive. One would think, here should be little room for complaint, and yet there was too much passion and prejudice on both sides, which was owing to the confusion of the times, and the violent resentments of each party. The commissioners were too forward in exposing the failings of the clergy, and encouraging witnesses of slender credit; on the other hand, the clergy were insufferably rude to the committee, defaming their witnesses, and threatening revenge, for being obliged to plead their cause before laymen. However, few clergymen were sequestered by the committee for scandalous ministers before it was joined with that for plundered ministers; an account of which I shall lay before the reader, after I have given two or three examples of the proceedings of the present committee, from the relations of those clergymen who have left behind them an account of their sufferings.

The first is Mr. Symmonds, of Rayne in Essex, who acknowledges, that he was sequestered for preaching and publishing, that "the king being the supreme magistrate hath immediate dependance on God, to whom alone he is accountable.——That authority is a sacred thing, and essential to the king's person.——That resistance is against the way of God, destructive to the whole law of God, inconsistent with the spirit of the gospel, the perpetual practice of Christianity, the calling of ministers, common prudence, the rule of humanity, nature itself, reason, the oath of allegiance, and even the late protestation."* Besides, he had notoriously defamed the parliament, and pressed his auditors to believe the king's declarations, "because a divine sentence was in his mouth, and he cannot err. And that if David's heart smote him for cutting off Saul's garment, what would it have done if he had kept him from his castles, towns, and ships?" For which reasons the lords and commons in parliament assembled, ordered [March 3, 1642] his living to be sequestered into the hands of Robert Atkins, M. A.

* Walker's Suffering Clergy, p. 67.

who was appointed to preach every Lord's day till farther order. Mr. Symmonds endeavoured to discredit the evidence, but so far from disowning the charge, that he afterward vindicated it in a pamphlet entitled, "The loyal subject's belief."

A second gentleman, who has left an account of his sufferings, is the reverend Mr. Squire of Shoreditch; he was articled against for "practising and pressing the late innovations, for saying the Papists were the king's best subjects, because of their loyalty and liberality; for declaring that none should come to the sacrament, unless they were as well affected to the king as the Papists; for comparing his majesty to the man that fell among thieves, being wounded in his honour, and robbed of his castles, and of the hearts of his people; that the priest passing by, was the Protestant; the forward professor the Levite, but the Papist was the good Samaritan; and for affirming, that the king's subjects, and all that they had, were at his command."* Mr. Squire denied some of these articles, and extenuated others; he procured a certificate from several of his parishioners of his diligence in preaching, in catechising, and in beating down Popery, for thirty years past, all which might be true; but Dr. Walker admits,† that from the beginning of the war he was a most strenuous champion for allegiance; that is, for passive obedience and nonresistance, and most earnestly exhorted his people to the practice of it, which, as the times then were, might be a sufficient reason for the parliament to silence him.

The other clergyman is Mr. Finch of Christ-church, who was articled against for extortion, superstition, nonresidence, and neglect of his cure, and for being a common swearer, tavern-hunter, and drunkard, which was proved by very substantial evidence. Dr. Walker's defence of this gentleman is very remarkable: "Common charity (says he) will oblige every one to give more credit to the bare word of a clergyman, though in his own vindication, than to that of his known and professed enemies."‡ And yet, in the next page,§ he owns he was not satisfied in Mr. Finch's character, nor in some parts of his defence, in which he thinks he does by no means acquit himself from having been a man

* Walker's Suffering Clergy, p. 67.
† Ibid. p. 176.
‡ Walker's Attempt, p. 71.
§ Ibid. p. 72.

of an ill life. His case was reported by the grand committee to the house of commons, and by them to the lords, who all agreed he was unfit to hold any ecclesiastical living.

It must be left with the impartial world to judge, whether the parliament had reason to sequester these clergymen, in their own defence. The last was a man of an immoral life, and the two former, allowing them to be otherwise good men, were certainly incendiaries against the two houses, and preached up those doctrines which were inconsistent with the constitution and freedom of this country, as most of the parochial clergy at that time did.

The committee for plundered ministers took its rise from those Puritan clergymen, who, being driven from their cures in the country by the king's soldiers, fled to London with their families, leaving their substance and household-furniture to the mercy of the enemy: these being reduced to very great exigencies, applied to the parliament for relief; the commons first ordered a charitable collection for them at their monthly fast, and four days after, viz. December 31, 1642, appointed a committee to consider of the fittest way "for the relief of such godly and well-affected ministers as have been plundered; and what malignant clergymen have benefices in and about the town, whose benefices being sequestered may be supplied by others who may receive their profits." The committee consisted of Mr. Solicitor General, Mr. Martyn, sir Gilbert Gerrard, sir William Armyn, Mr. Prideaux, Mr. Holland, Mr. Rouse, Mr. Case, Mr. Knightly, sir William Hayman, Mr. Wentworth, Mr. Ruthen, Mr. Wheeler, and Mr. Spurstow, to whom were afterward added some others; among whom Dr. Walker supposes was the famous Mr. White, who sat in the chair of this committee March 2, 1642—3. The commissioners were upon their oath; any four had a power to act; they were distinguished by the name of the "committee for plundered ministers;" but the royalists, by way of reproach, calling them the "committee for *plundering* ministers." They began their meetings in the court of exchequer, Jan. 2, in the afternoon; two days after, they were ordered to examine the complaints against Dr. Soam, minister of Twittenham and Stains, to send for parties and witnesses, to consider of proper persons to supply the cures, to apply the revenues to their use if they found it necessary, and to report the proceedings to the

house. July 27, 1643, they were empowered to consider of informations against scandalous ministers, though there were no malignancy proved against them, and to put out such whose scandal was sufficiently proved; from which time the committee for scandalous and plundered ministers were in a sort united, and so continued to the end of the long parliament.*

In order to silence the clamours of the royalists, and justify the severe proceedings of these committees, it was resolved to print the cases of those whom they ejected, and submit their conduct to the public censure; accordingly, towards the latter end of the year, Mr. White the chairman published a pamphlet, entitled, "The first century of scandalous malignant priests, made and admitted into benefices by the prelate, in whose hands the ordination of ministers and government of the church had been; or, a narration of the causes for which the parliament has ordered the sequestration of the benefices of several ministers complained of before them, for viciousness of life, errors in doctrine, contrary to the articles of our religion, and for practising and pressing superstitious innovations against law, and for malignancy against the parliament." The author in his preface says, the reason of his appearing in print was, "that the parliament might appear just in their doings, that the mouth of iniquity might be stopped; that all the world might see, that the tongues of them that speak evil of the parliament are set on fire of hell; that they hide themselves under falsehood, and make lies their refuge." And then adds, "that the grossest faults which were charged on the clergy were proved by many witnesses, seldom less than six." The whole century were convicted of malignity, or disaffection to the parliament; and about eighty of them of scandalous immoralities in their lives. Dr. Walker has endeavoured to recover the reputation of seven or eight, and would insinuate that the rest were convicted upon too slender evidence, the witnesses not being always upon oath, nor in his opinion of sufficient credit to impeach a clergyman; that some of the crimes were capital, and therefore if they had been proved, must have touched not only the livings but the lives of the criminals; and that the parliament who set up for precise morals, accepted the mere verbal evidence of the most infa-

* Walker's Attempt, p. 73.

mous people. However, the doctor himself has admitted and confirmed the centurist's account of many of the scandalous ministers, by the inquiries he has made into their characters in the places from whence they were ejected. Mr. Fuller confesses, "that several of the offences of the clergy were so foul, that it is a shame to report them, crying to justice for punishment." But then adds, in favour of others, "that witnesses against them were seldom examined on oath. That many of the complainers were factious people. That some of the clergy were convicted for delivering doctrines that were disputable, and others only for their loyalty."* Bishop Kennet says, that several of them were vicious to a scandal. And Mr. Archdeacon Echard is of the same mind. But Mr. Baxter's testimony is more particular and decisive, who says, "that in all the countries where he was acquainted, six to one at least, if not many more, that were sequestered by the committees, were by the oaths of witnesses proved insufficient or scandalous, or especially guilty of drunkenness and swearing. This I know (says the reverend author) will displease the party, but I am sure that this is true."†

It is impossible to account for the particular proceedings of all the committees, of which great outcries have been made by the friends of the sufferers. "If the meanest and most vicious parishioners could be brought to prefer a petition against their parson to the house of commons, how falsely soever (says lord Clarendon), he was sure to be prosecuted for a scandalous minister."‡ His lordship adds, "that the committees accepted of the evidence not only of mean people, but of them who were professed enemies of the discipline of the church; that they baited the clergy with rude and uncivil language; that they obliged them to a long and tedious attendance, and were very partial in voting them out of their livings, right or wrong." In another place he says, "that these complaints were frequently exhibited by a few of the meanest of the people against the judgment of the parish." The like representation is made by most of the royalists; but the writers on the side of the parliament deny the charge, and complain as loudly of the contemptuous behaviour of the king's clergy to the commissioners, treating

* Church History, b. 11. p. 207. † Baxter's Life, p. 74.
‡ Sufferings of the Clergy, p. 65.

them as a combination of illiterate laymen, who had nothing to do with the church; nay, as rebels and traitors. Some refused to obey their summons, and others who appeared took their time in examining the spelling of words, the propriety of grammar, and other little evasions, foreign to the purpose. They declared roundly, they did not own the tribunal before which they stood; they insulted the witnesses, and threatened reprisals out of court, when things should revert to their former channel; and upon the whole behaved as if they had engrossed all the law, learning, and good sense, of the nation to themselves. The commissioners, provoked with this usage, were obliged to behave with some sharpness, in order to support their own authority; they would not indulge them the peculiar privilege they claimed as clergymen, nor allow them as scholars to debate the truth of those doctrines of which they were accused, but confined them to matters of fact. When they excepted against the witnesses as ignorant mechanics, factious, schismatical, enemies to the church, &c. they overruled their exceptions, as long as there were no legal objections to their competency or credibility.

With regard to the country committees, the commissioners were chosen out of the deputy-lieutenants, and the best country gentlemen in the parliament interest. Most of the crimes for which the clergy were sequestered were confessed by themselves; superstition and false doctrine were hardly ever objected, far the greatest part being cast out for malignity; and yet the proceedings of the sequestrators were not always justifiable; for whereas a court of judicature should rather be counsel for the prisoner than the prosecutor, the commissioners considered the king's clergy as their most dangerous enemies, and were ready to lay hold of all opportunities to discharge them their pulpits.

But whatever might be the excesses or partiality of particular committees, no reasonable blame can be laid upon the two houses, whose instructions were, in my opinion, unexceptionable; the words of the ordinance are these:— "And to the end that those who will appear before the committee may have the witnesses examined in their presence, it is farther ordained, that summonses, with sufficient warning of the time and place when and where the charge against them shall be proved, be either given to their per-

sons, or left at their houses; and if they desire it, they shall have a copy of the articles against them, with a convenient time to give in their answer under their hands, which together with their charge, and the proofs upon every particular of it, the said deputy-lieutenants, and committees of parliament, shall send up to the committee of this house, appointed to provide for plundered ministers; which committee shall from time to time transmit them to this house."* And farther to prevent all abuses, it is ordained, in the ordinance for sequestration, "that if any person or persons find themselves aggrieved with any acts done by the sequestrators, their agents or deputies, and shall not therein be relieved by the sequestrators, upon complaint made to them, or any two or more of them; then upon information given to both houses of parliament, or to the committee of lords and commons aforementioned, such farther order shall be taken therein as shall be agreeable to justice."† Here was an appeal from a lower to a higher court; and to prevent a scrutiny into the lives and manners of the clergy, when their witnesses might be dead, they were limited to such crimes as had been committed within three years before the beginning of the present parliament; so that if the committees observed their orders there could be little cause of complaint; yet as no one will undertake to vindicate all their proceedings, we must not, on the other hand, give ear to the petulant and angry complaints of every discontented clergyman.‡ I shall only observe farther, that these country committees hardly began to sit till the latter end of the year 1643, or the beginning of 1644; that they exercised their power very sparingly while the war was in suspense, but when the royal forces had been beat out of the field, and victory declared on their side, they proceeded with more freedom, especially against those who had made themselves parties in the war.

Very different accounts are given of the numbers and quality of the ejected clergy by their several friends. Lord Clarendon says, that all the learned and orthodox divines of England were deemed scandalous. And Dr. Walker has taken a great deal of pains to increase their numbers, and vindicate their characters. By this account one would think most of them were of the first rank and character; but

* Husband's Collections, p. 311. † Ibid. p. 15.
‡ Sufferings of the Clergy, p. 81.

Mr. Baxter,* who was much better acquainted with them, says, "that when the parliament purged the ministry, they cast out the grosser sort of insufficient and scandalous ones, and also some few civil men who had assisted in the wars against the parliament, or set up bowing to altars, and such innovations, but they left in near one half of the ministers that were not good enough to do much service, nor bad enough to be utterly intolerable. These were a company of poor weak preachers, who had no great skill in divinity, nor zeal for godliness, but preached weekly that that was true, and were free from notorious sins." This seems a pretty fair relation of the matter; however, we shall have occasion to consider it more fully hereafter.

Besides the sequestration of benefices, the parliament considered the king's clergy as parties in the war, and seized their estates both real and personal under that character, towards defraying the expenses of it; for this purpose they passed the following ordinance, April 1, 1643, the preamble to which sets forth,† "that it is most agreeable to common justice, that the estates of such notorious delinquents as have been the causes or instruments of the public calamities, which have hitherto been employed to the fomenting and nourishing of this miserable distraction, should be converted and applied towards the support of the commonwealth.

"Be it therefore enacted, that the estates, as well real as personal, of all such bishops, deans, deans and chapters, prebends, archdeacons, and of all other persons ecclesiastical or temporal, who have or shall raise arms against the parliament; or have been, or shall be, in actual war against the same; or who have, or shall voluntarily contribute, money, horse, plate, arms, ammunition, or other aid or assistance, towards the maintenance of any force raised against the parliament, or for the plundering the king's subjects, who have willingly contributed, or yielded obedience, to the commands of both houses of parliament, and of all such who have joined or shall join in any oath or association against the parliament, &c. shall be seized into the hands of sequestrators, to be named by both houses of parliament, which sequestrators, or their deputies, are to seize into their hands, as well all the money, goods, chattels,

* Life, p. 95. † Husband's Collections, fol. 13.

debts, and personal estates, and all the manors, lands, tenements, hereditaments, rents, revenues, and profits, of all the said delinquents before specified; and also two parts of all the personal and real estates of every Papist, and to let, set, and demise, the same from year to year, as the respective landlords or owners thereof might have done. And the authority of both houses is engaged to save them harmless from paying any rents to their landlords being delinquents: and all the monies, rents, and revenues, that shall arise from this ordinance, shall be applied to the maintenance of the army and forces raised by the parliament, and such other uses as shall be directed by both houses of parliament for the benefit of the commonwealth."

August 19, 1643, this ordinance was farther explained, as including in the number of delinquents, such as absented from their usual places of abode, or betook themselves to the king's forces, such as should embezzle or conceal any of their effects, to avoid payment of taxes, and assessments to the parliament; or who kept out of the way, so that no tax could be levied upon them; or who concealed or harboured the goods or persons of delinquents; or who should seize or molest any persons for obeying or executing any of the parliament's orders.* A clause was then added to the ordinance, empowering the commissioners to allow to the wives and children of such delinquents, for their maintenance, any portion of their goods, provided it did not exceed one fifth part. This clause was construed to extend to the wives and children of all clergymen who were ejected their livings, on any account whatsoever. The commissioners were also to seize two thirds of the estates of Papists, both real and personal, and for the discovering of them, were to tender to such whom they suspected, the following oath:—

"I A. B. do abjure and renounce the pope's supremacy and authority over the Catholic church in general, and over myself in particular. And I do believe that there is not any transubstantiation in the sacrament of the Lord's supper, or in the elements of bread and wine after consecration thereof by any person whatsoever. And I do also believe that there is not any purgatory, or that the consecrated host, crucifixes, or images, ought to be worshipped; or that any worship is due to any of them. And I also believe,

* Scobel's Collections, p. 49.

that salvation cannot be merited by works; and all doctrines in affirmation of the said points, I do abjure, and renounce, without any equivocation, mental reservation, or secret evasion whatsoever, taking the words by me spoken according to the common meaning of them.

"So help me God."

Divers clergymen of considerable learning, and blameless lives, sound Protestants, and good preachers, lost their estates and livelihoods by falling within the compass of this ordinance. How far such severities are justifiable by the law of arms, in a time of civil war and confusion, I shall not determine. It had been well, if those who would have given security for their peaceable behaviour, could have been distinguished. But what could the parliament do in their circumstances with men who were always dealing in politics, privately sending the king money, preaching publicly that he was above law, and stirring up the people to sedition and disaffection to those powers by whom they were protected? If others suffered in this manner it was a very hard measure; their estates might have been double taxed, as those of Papists and nonjurors have since been; but to take away their whole property, and reduce them to a fifth, and this at the mercy of sequestrators, was extremely rigorous and severe.

However, his majesty pursued the same measures, and gave directions to seize the lands and goods of the parliamentarians, as appears by his proclamation of April 7, and May 8, wherein he forbids all his subjects to submit to their orders; and by another dated May 15, 1643, complains, "that divers of his clergy, eminent for piety and learning, because they publish his royal and just commands and declarations, and will not (against the known laws of the land, and their own consciences) submit to contributions, nor publicly pray against us and our assistants, but conform to the Book of Common Prayer established by law, and preach God's word according to the purity of it, and in their sermons, will not teach sedition, nor publish illegal commands and orders for fomenting the unnatural war levied against us, are some of them driven from their cures and habitations, others silenced and discharged from their cures, and persecuted, and their curates, if orthodox, displaced, in whose places factious and seditious persons are introduced. —His majesty therefore forbids all his subjects to hinder

any of his clergy from exercising their functions, or to displace them; and if any transgress this command his majesty declares them assistants of the rebellion, and will proceed against them according to law, as soon as he can apprehend them, and in the meantime will give direction for taking their lands and goods into safe custody."* Such were the extremities on both sides!

The silencing so many clergymen at once made it very difficult to find persons qualified to fill the vacant pulpits. This was an inconvenience that attended the reformation of queen Elizabeth, and was the case of the established church again in the year 1662, when near two thousand ministers were ejected on account of their nonconformity. Lord Clarendon, with his usual candour, says, "that from the beginning of this parliament he is confident not one learned or orthodox man was recommended by them to any church in England;" and yet some of the greatest ornaments of the church for learning and good sense, in the reign of king Charles II. were of their promotion, as bishop Reynolds, bishop Wilkins, Dr. Lightfoot, Dr. Cudworth, Dr. Wallis, and others. Mr. Baxter, who was a more competent judge in this respect, says,† "that though now and then an unworthy person, by sinister means, crept into the places of the ejected ministers, yet commonly those whom they put in were such as set themselves laboriously to seek the saving of souls. Indeed the one half of them were very young, but that could not be helped, because there were no others to be had; the parliament could not make men learned or godly, but only put in the learnedest and ablest they could have; and though it had been to be wished, that they might have had leisure to ripen in the universities, yet many of them did, as Ambrose, teach and learn at once so successfully, as that they much increased in learning themselves whilst they profited others, and proportionably more than many in the universities do." Those clergymen who had been silenced and imprisoned by archbishop Laud were set at liberty and promoted; some who had fled to Holland and New-England on the account of nonconformity returned home, and were preferred to considerable lectures in the city, or to livings that had been sequestered. The parliament entertained and promoted several Scots divines,

* Husband's Collections, p. 177. † Hist. of Life and Times, p. 74.

and yet, after all, wanted a supply for several vacant benefices, which obliged them to admit of some unlearned persons, and pluralists, not of choice, but through necessity; for when things were more settled, the assembly of divines declared against both; and it deserves to be remembered that the parliament, instead of giving their divines an absolute and full possession of the sequestered livings, reserved to themselves a right in their warrants to displace them if they saw occasion, which shews their great prudence and caution; for by this means it was in their power, upon the conclusion of a peace, to restore those who had been ejected merely for their attachment to the king, without any injustice to the present possessor. To put some stop to the clamours of the royalists at Oxford, who gave out, that the parliament admitted butchers, cobblers, bricklayers, and those who had no call from God or man, they ordained, July 27, 1643, "that the committees should not nominate any person to vacant benefices, but such as should be examined and approved by the assembly of divines then sitting at Westminster." Upon the whole it is evident, that the two houses did the best they could in their present circumstances, and perhaps better than the royalists did at the Restoration 1660, when, according to Dr. Walker, all the sequestered clergy who survived were restored to their livings, even those who had been convicted of the most scandalous immoralities, without any marks of repentance or amendment.

The parliament's affairs being low, and their counsels divided, they not only applied to Heaven by extraordinary fastings and prayers, but went on vigorously with their intended reformation. They began with the sabbath, and on March 22, 1642—3, sent to the lord-mayor of the city of London, to desire him to put in execution the statutes for the due observation of the Lord's day; his lordship accordingly issued his precept the very next day to the aldermen,* requiring them to give strict charge to the churchwardens and constables within their several wards, that from henceforth "they do not permit or suffer any person or persons, in time of divine service, or at any time on the Lord's day, to be tippling in any tavern, inn, tobacco-shop, alehouse, or other victualling-house whatsoever; nor suffer any fruiterers

* Husband's Collections, p. 7.

or herb-women to stand with fruit, herbs, or other victuals or wares, in any streets, lanes, or alleys, or any other ways to put things to sale, at any time of that day, or in the evening of it; or any milk-woman to cry milk; nor to suffer any persons to unlade any vessels of fruit, or other goods, and carry them on shore; or to use any unlawful exercises or pastimes; and to give express charge to all inn-keepers, taverns, cook-shops, alehouses, &c. within their wards, not to entertain any guests to tipple, eat, drink, or take tobacco, in their houses on the Lord's day, except inn-keepers, who may receive their ordinary guests or travellers, who come for the dispatch of their necessary business; and if any persons offend in the premises, they are to be brought before the lord-mayor, or one of his majesty's justices of the peace, to be punished as the law directs." This order had a very considerable influence upon the city, which began to wear a different face of religion to what it had formerly done.* May 5, the book tolerating sports upon the Lord's day was ordered to be burnt by the hands of the common hangman in Cheapside, and other usual places; and all persons having any copies in their hands were required to deliver them to one of the sheriffs of London to be burnt.

Next to the Lord's day they had a particular regard to their monthly fast: April 24, all constables, or their deputies, were ordered to repair to every house within their respective liberties, the day before every public fast, and charge all persons strictly to observe it according to the said ordinances. And upon the day of the public fast, they were enjoined to walk through their said liberties, to search for persons who either by following the work of their calling, or sitting in taverns, victualling, or alehouses, or any other ways should not duly observe the same; and to return their names to the committee for examination, that they might be proceeded against for contempt. The fast was observed the last Wednesday in every month, the public devotions continued with little or no intermission from nine in the morning till four in the afternoon,† and (as has been already observed) with uncommon strictness and rigour.

* Husband's Collections, p. 159.

† These services were protracted, undoubtedly, to a tiresome and unreasonable length; and became the subject of ridicule to the royal party. Of which this proposal, in a pamphlet entitled "New orders Now," is a proof: viz. "that every year

Besides the stated fasts, it was usual upon extrordinary emergencies to appoint occasional ones; as when the army was going upon any hazardous enterprise, or were within sight of the enemy, or under very disadvantageous circumstances. When the earl of Essex was shut up in Cornwall, the two houses appointed a day of fasting and prayer in six churches within the lines of communication, and in such other churches where it should be desired; and the crowds of serious and attentive hearers on such occasions was almost incredible.

The king apprehending the parliament's monthly fast was perverted from its original design, and turned into a nursery of rebellion, was pleased to dissolve it, and appoint another for the reasons contained in the following proclamation from Oxford, dated October 5, 1643. "When a general fast was first propounded to us in contemplation of the miseries of our kingdom of Ireland, we readily consented to it.—But when we observe what ill use has been made of these public meetings, in pulpits, in prayers, and in the sermons of many seditious lecturers, to stir up and continue the rebellion raised against us within this kingdom;—we thought fit to command that such a hypocritical fast, to the dishonour of God, and slander of true religion, be no longer continued and countenanced by our authority.—And yet we being desirous to express our own humiliation and the humiliation of our people, for our own sins, and the sins of the nation, are resolved to continue a monthly fast, but not on the day formerly appointed.—We do therefore hereby command, that from henceforth no fast be held on the last Wednesday in the month, as for many months it has been; nor on any other day than is hereby appointed by us.—But we do expressly charge and command, that in all churches and chapels, &c. there be a solemn fast religiously observed on the second Friday in every month, with public prayers and preaching where it may be had, that as one man we may pour out our prayers to God, for the continuance of his gracious presence and blessing upon us, and for establishing a happy peace; for which purpose we have

there shall be the Round-heads' feast celebrated, a well-lunged, long-breathed cobbler shall preach a sermon six hours, and his prayers two hours long, and at every mess in this feast shall be presented a godly dish of turnips, because it is very agreeable to our natures: for a turnip hath a round head, and the anagram of a Puritan is a turnip." Dr. Grey, p. 76, note.—Ed.

caused devout forms of prayer to be composed and printed, and intend to disperse them, that they may be used in all parts of our kingdom."* Agreeably to this proclamation, the king's friends in the counties of Cornwall and Devonshire took an oath, and entered into an association upon sundry articles, of which this was one, That if any minister shall refuse, or wilfully neglect, to observe the fast appointed by his majesty, or shall not read the service and prayers appointed for that fast, and being carried before a justice of peace shall not promise and protest for their future conformity, he shall be forthwith secured, and his estates sequestered; the like course to be taken with such ministers as absent themselves that day, unless upon sickness, or other cause allowed by two justices of peace; and with those that will not read such books as shall be appointed to be read by his majesty; and the constables are to certify their defaults to the next justice of peace.† This was a new hardship upon clergy and people, for the parliament having enjoined the continuance of the fast on Wednesday, the royalists were obliged to an open separation, by changing it to Friday. Thus the devotions of the kingdom were divided, and Almighty God called into the quarrel on both sides.

The next thing the parliament undertook, was the removal of those monuments of superstition out of churches, &c. which had been voted down the last year, but without any considerable effect, because of the dissent of the house of lords. In the beginning of May, sir Robert Harlow, by order of the two houses, took down the crosses in Cheapside, Charing-cross, and St. Paul's cross,‡ which was a pulpit of wood covered with lead, in form of a cross, and

* Husband's Collections, p. 353. † Rushworth, vol. 5. p. 381, 382.

‡ The zeal shewed for pulling down the crosses gave occasion for the publication of a humorous piece, entitled, "A dialogue betwixt the cross in Cheap and Charing-cross, comforting each other, as fearing their fall in these uncertain times." It was also bantered in a pamphlet, with this title, "New orders New, agreed upon by the parliament of Round-heads, confirmed by the brethren of the new separation, assembled at Roundheads'-hall without Cripplegate, with the great discretion of master Long-breath, an upright, new inspired cobbler, speaker of the house. Avowed by Ananias Dulman, alias Prick Ears." Of the strain of this piece the following passage is a specimen: "that we have no crosses, for they are mere Popery, and tend to the confusion and opposition of Scripture: especially let the sight of Cheapside-cross be a detestation unto you all, and let these streets that are called Crosses, as Red-Cross-street, and White-Cross-street, &c. be turned otherwise and called after the name of some of our own family, as Green, Spencer, &c. and call it rather Green-street, than Red-Cross-street, &c. That thus all profaneness being rooted and extirpated from our conventions, nothing but holiness may remain amongst us." Dr. Grey, vol. 2. p. 80, 81, note.—Ed.

mounted on several steps of stone about the middle of St. Paul's churchyard, where the first reformers used to preach frequently to the people; and upon a farther representation of the assembly of divines, they passed the following ordinance,—"That before the 1st of November all altars and table of stone shall be utterly taken away and demolished; and all communion-tables removed from the east end of every church, chapel, or place of public worship, and be set in some other fit and convenient place or places of the body of the church or chapel; and all rails whatsoever which have been erected near to, or before, or about, any altar or communion-table, in any of the said churches or chapels, shall before the said day be taken away, and the chancel-ground of every such church, or chapel, or other place of public prayer, which has been within these twenty years raised for any altar or communion-table to stand upon, shall before the said day be laid down and levelled as it was before; and all tapers, candlesticks, and basins, shall before the said day be removed and taken away from the communion-table in every church, chapel, or place of public prayer, and not be used again afterward. And all crucifixes, crosses, images, and pictures, of any one or more persons of the Trinity, or of the Virgin Mary; and all other images, and pictures of saints, or superstitious inscriptions in or upon any of the said churches, churchyards, or other places belonging to the said churches or churchyards, or in any other open place, shall, before the said 1st of November, be taken away and defaced by the proper officers that have the care of such churches. And it is farther ordained, that the walls, windows, grounds, and other places that shall be broken, impaired, or altered, by any the means aforesaid, shall be made up and repaired in good and sufficient manner, in all and every the said parish-churches, chapels, or places of public prayer belonging to the parish, by the churchwardens for the time being, and in any cathedral or collegiate church or chapel by the deans or sub-deans; and in the inns of court, by the benchers and readers of the same, at the cost and charge of all and every such person or persons, bodies politic, or corporations, to whom the charge of repair does usually belong, upon penalty of 4*s.* to the use of the poor, for the space of twenty days after such default; and if default be made after December 1, the

justice of peace of the county or city shall have power to perform it. Provided that this ordinance shall not extend to any image, picture, or coat of arms, in glass, stone, or otherwise, in any church, chapel, or churchyard, set up by, or engraven for a monument of, any king, prince, nobleman, or other dead person, which has not been commonly reputed or taken for a saint."*

This ordinance is of the same tenor with the bill against innovations, presented to the king at the treaty of Oxford, and does not much differ from queen Elizabeth's injunctions at the Reformation; there were some disorders and tumults in putting it in execution, and great neglect of repairs; but if the reader will look back to the superstitious decorations and ornaments of the cathedrals, mentioned in the former volume of this work, he will see there was some need of a reformation. December 14, the commissioners cleared the cathedral of Canterbury of all the images, and paintings in the windows. Heylin says, the rabble violated the monuments of the dead, spoiled the organs, took down the rails, &c. and affronted the statue of our blessed Saviour.† December 30, they removed the pictures, images, and crucifixes, in Henry VII.'s chapel; and about Lady-day the paintings about the walls and windows were defaced, and the organs taken down in the presence of the committee of the house. The cathedral of St. Paul's was stripped about the same time, the candlesticks, crucifixes, and plate, being sold for the service of the war; and within a few months most of the cathedrals throughout England underwent the same fate.‡ If the parliament, instead of leaving this work to the officers of every parish, had put it into the hands of some discreet persons, to give directions what might remain, and what was fit to be removed, all the mischiefs that have been complained of might have been prevented; the monuments of the dead might have remained entire, and a great many fine paintings been preserved. Dr. Heylin charges the officers with sacrilege, and fixes the divine vengeance upon them as a terror to others, one of them being killed in pulling down the cross in Cheapside, and another hanged soon after he had pulled down the rich cross in Abingdon.

* Husband's Collections, fol. 307. † Hist. Presbytery, p. 450.

‡ Dr. Grey gives various examples of the rude violence and indiscriminate destruction with which this was done. His authorities are, bishop Hall, Heylin, Dugdale, and a work entitled, Mercurius Rusticus.—Ed.

But without remarking on the doctor's prognostications, it might be very proper to remove these images and crosses, because of the superstitious resort of great numbers of people to them; though it ought to have been done in a peaceable manner, without any damage to the truly venerable remains of antiquity.

The paper combat between the two parties at Oxford and London, was carried on with no less fury than the war itself; numberless pamphlets were scattered up and down the kingdom, big with disaffection and scandal against the two houses; to put a stop to which, the commons, by an order of March 6, 1642—3, had empowered the committee of examinations to search for printing-presses, in such places where they had cause to suspect they were employed against the parliament, and to break them in pieces, and destroy the materials. They were also to seize the pamphlets, and to commit the printer and vender to prison. But this order not being effectual, another was published June 14, 1643, the preamble to which sets forth, "that the former orders of parliament to prevent the printing and dispersing scandalous pamphlets having been ineffectual, it is ordained, that no person or persons shall print any book or pamphlet without licence under the hands of such persons as shall be appointed by parliament, nor shall any book be reprinted without the licence and consent of the owner, and the printer to put his name to it; the company of stationers and the committee of examinations, are required to make strict inquiry after private presses, and to search all suspected shops and warehouses for unlicensed books and pamphlets, and to commit the offenders against this order to prison, to be punished as the parliament shall direct."* The names of the licensers appointed by this ordinance were these:—

For books of divinity.

The Rev. Mr. Thomas Gataker.	The Rev. Mr. Carter of Yorkshire.
The Rev. Mr. J. Downham.	The Rev. Mr. Charles Herle.
The Rev. Mr. Callicut Downing.	The Rev. Mr. James Cranford.
The Rev. Dr. Thomas Temple.	The Rev. Mr. Obadiah Sedgwick.
The Rev. Mr. Joseph Caryl.	The Rev. Mr. Batchelor.
The Rev. Mr. Edmund Calamy.	The Rev. Mr. John Ellis, jun.

For law-books.

Sir John Brampston.	Mr. Serj. Phesant.
Mr. Serj. Rolls.	Mr. Serj. Jermyn.

For physic and surgery.—The president and four censors of the college of physicians, for the time being.

For civil and canon law.—Sir Nath. Brent, or any three doctors of the civil law.

For heraldry, titles of honour, and arms.—One of the three kings at arms.

* Rushworth, vol. 5. p. 335.

For philosophy, history, poetry, morality, and arts.—Sir Nath. Brent, Mr. Langley, and Mr. Farnaby, schoolmasters of St. Paul's.

For small pamphlets, pictures, &c.—The clerk of the company of stationers for the time being; and

For mathematics, almanacks, and prognostications.—The reader of Gresham-college for the time being.

But neither this, nor any other regulation of the press, could restrain the Oxonians from dispersing their mercuries and diurnals over the whole kingdom, as long as the university was in the king's hands.

CHAP. II.

FROM THE CALLING THE ASSEMBLY OF DIVINES AT WESTMINSTER TO THE OXFORD PARLIAMENT.

It has been observed, that at the setting down of this parliament, the resolution of the leading members was to remove the grievances of the church as well as state, and for this purpose to address the king to call an assembly of divines to reform the liturgy and discipline. To forward this design the London ministers, in their petitions in the year 1641, prayed the houses to be mediators to his majesty for a free synod, and the commons accordingly mentioned it in their grand remonstrance of December 1, 1641. "We desire (say they) that there may be a general synod of the most grave, pious, learned, and judicious divines of this island, assisted with some from foreign parts professing the same religion with us, who may consider of all things necessary for the peace and good government of the church, and to represent the result of their consultations to be allowed and confirmed, and to receive the stamp of authority." In the treaty of Oxford a bill was presented to the same purpose and rejected: some time after Dr. Burges, at the head of the Puritan clergy, applied again to parliament, but the houses were unwilling to take this step without the king's concurrence, till they were reduced to the necessity of calling in the Scots, who insisted, that "there should be a uniformity of doctrine and discipline between the two nations." To make way for which the houses turned their bill into an ordinance, and convened the assembly by their own authority.*

The ordinance bears date June 12, 1643, and is the very

* It is a just remark of Mr. Palmer, that the assembly of divines at Westminster,

same with the Oxford bill, except in the point of lay-assessors, and of restraining the assembly from exercising any jurisdiction or authority ecclesiastical whatsoever. It is entitled,

"An ordinance of the lords and commons in parliament, for the calling of an assembly of learned and godly divines, and others, to be consulted with by the parliament, for settling the government and liturgy of the church of England, and for vindicating and clearing of the doctrine of the said church, from false aspersions and interpretations."*

The preamble sets forth,

"That whereas amongst the infinite blessings of Almighty God upon this nation, none is or can be more dear to us than the purity of our religion; and forasmuch as many things as yet remain in the discipline, liturgy, and government, of the church, which necessarily require a more perfect reformation. And whereas it has been declared and resolved, by the lords and commons assembled in parliament, that the present church-government by archbishops, bishops, their chancellors, commissaries, deans, deans and chapters, archdeacons, and other ecclesiastical officers depending on the hierarchy, is evil, and justly offensive and burdensome to the kingdom, and a great impediment to reformation, and growth of religion, and very prejudicial to the state and government of this kingdom, that therefore they are resolved, the same shall be taken away, and that such a government shall be settled in the church as may be agreeable to God's holy word, and most apt to procure and preserve the peace of the church at home, and nearer agreement with the church of Scotland, and other reformed churches abroad. And for the better effecting hereof, and for the vindicating and clearing of the doctrine of the church of England from all false calumnies and aspersions, it is thought fit to call an assembly of learned, godly, and judicious divines, to consult and advise of such matters and things touching the premises, as shall be proposed to them by both, or either houses of par-

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was not a convocation according to the diocesan way of government, nor was it called by the votes of the ministers according to the presbyterian way; but the parliament chose all the members themselves, merely with a view to have their opinion and advice for settling the government, liturgy, and doctrine, of the church of England. And they were confined in their debates to such things as the parliament proposed. Nonconformists' Memorial, vol. 1. introduction, p. 7.—Ed.

* Rushworth, vol. 2. part 3. or vol. 5. p. 337.

liament; and to give their advice and counsel therein to both, or either of the said houses, when and as often as they shall be thereunto required.

"Be it therefore ordained by the lords and commons in this present parliament assembled, that all and every the persons hereafter in this ordinance named [the ordinance here names the persons], and such other persons as shall be nominated by both houses of parliament, or so many of them as shall not be letted by sickness, or other necessary impediment, shall meet and assemble, and are hereby required and enjoined upon summons signed by the clerks of both houses of parliament left at their several respective dwellings, to meet and assemble at Westminster, in the chapel called King Henry the Seventh's chapel, on the first of July 1643, and after the first meeting, being at least of the number of forty, shall from time to time sit, and be removed from place to place; and also, that the said assembly shall be dissolved in such manner as by both houses of parliament shall be directed. And the said assembly shall have power and authority, and are hereby enjoined from time to time, during this present parliament, or till farther order be taken by both the said houses, to confer and treat among themselves of such matters and things concerning the liturgy, discipline, and government, of the church of England, or the vindicating and clearing of the doctrine of the same from all false aspersions and misconstructions, as shall be proposed by either or both houses of parliament, and no other; and to deliver their advices and opinions touching the matters aforesaid, as shall be most agreeable to the word of God, to both or either houses from time to time, in such manner as shall be required, and not to divulge the same by printing, writing, or otherwise, without consent of parliament."

If any difference of opinion arose, they were to represent it to parliament with their reasons, that the houses might give farther direction. Four shillings per day were allowed for each one during his attendance. Dr. William Twisse of Newbury was appointed prolocutor, and in case of his sickness or death the parliament reserved to themselves the choice of another. The ordinance concludes with the following proviso: "Provided alway, that this ordinance shall not give them, nor shall they in this assembly assume or exercise, any jurisdiction, power, or authority ecclesiastical,

whatsoever, or any other power than is herein particularly expressed."

Then follow the names of thirty lay-assessors, viz. ten lords, and twenty commoners, and one hundred and twenty-one divines.

N. B. The lay-assessors had an equal liberty of debating and voting with the divines, and were these;

Peers.

Algernon earl of Northumberland.
William earl of Bedford.
William earl of Pembroke and Montgomery.
William earl of Salisbury.
Henry earl of Holland.
Edward earl of Manchester.
William lord viscount Say and Seal.
Edward lord viscount Conway.
Philip lord Wharton.
Edward lord Howard of Escrick.

Commoners.

John Selden, esq.
Francis Rouse, esq.
Edmund Prideaux, esq.
Sir Henry Vane, knight senior.
Sir Henry Vane, knight junior.
John Glynne, esq. recorder of London.
John White, esq.
Bulstrode Whitelocke, esq.
Humphry Salway, esq.
Oliver St. John, esq.
Sir Benjamin Rudyard, knight.
John Pym, esq.
Sir John Clotworthy, knight.
Sir Thomas Barrington, knight.
William Wheeler, esq.
William Pierpoint, esq.
Sir John Evelyn, knight.
John Maynard, esq.
Mr. Serjeant Wild.
Mr. Young.
Sir Matthew Hale, afterward lord-chief-justice of the King's Bench [appeared, says Anthony Wood, among the lay-assessors].

Lay-assessors from Scotland.

Lord Maitland, afterward duke Lauderdale.
Earl Lothian.
A. Johnston, called lord Warriston.

The divines were chosen out of such lists as the knights and burgesses brought in, of persons best qualified in their several counties, out of which the parliament agreed upon two; though according to Dr. Calamy some counties had only one.

A list of the assembly of divines at Westminster, in alphabetical order:—

Those with ** gave constant attendance; those with one * sat in the assembly and took the protestation, but withdrew, or seldom appeared; those with no star did not appear at all.

To supply the vacancies that happened by death, secession, or otherwise, the parliament named others from time to time, who were called superadded divines.

** The reverend Dr. WILLIAM TWISSE, of Newbury, was appointed by parliament, prolocutor.

** The reverend Dr. Cornelius Burges of Watford, Mr. John White of Dorchester, A. M. *assessors.*

* The reverend Mr. Henry Roborough, Mr. Adoniram Byfield, A. M. *scribes, but had no votes.*

** The Rev. John Arrowsmith, of Lynn, afterward D. D. and master of Peterhouse, Cambridge.
** Mr. Simeon Ash, of St Bride's, or Basingshaw.
** Mr. Theodore Backhurst, of Overton Waterville.
** Mr. Thomas Bayly, B. D. of Manningford-Bruce.
** Mr. John Bond, a superadded divine.
* Mr. Boulton, superadded.
** Mr. Oliver Bowler, B. D. of Sutton.
** Mr. William Bridge, A. M. of Yarmouth.
The right reverend Dr. Ralph Brownrigge, bishop of Exon.
Mr. Richard Buckley.

** Mr. Antony Burges, A. M. of Sutton-Colefield.
** Mr. Jeremiah Burroughs, A. M. of Stepney.
** Mr. Richard Byfield, A. M. superadded.
** Edmund Calamy, B.D. Aldermanbury.
** Mr. Thomas Case, Milk-street.
Mr. Richard Capel, of Pitchcombe, A. M.
** Mr. Joseph Caryl, A.M. Lincoln's-inn.
** Mr. William Carter, of London.
** Mr. Thomas Carter, of Oxon.
** Mr. William Carter, of Dynton, Bucks.
** Mr. John Cawdrey, A. M. St. Martin's Fields.
** Humphrey Chambers, D. D. of Claverton.
** Francis Cheynel, D. D. of Petworth.
** Mr. Peter Clarke, A. M. of Carnaby.
** Mr. Richard Clayton, of Showel.
** Mr. Francis Coke, of Yoxhall.
** Mr. Thomas Coleman, A. M. of Bliton.
** John Conant, of Lymington, D. D. afterward archdeacon of Norwich, and prebendary of Worcester.
** Mr. Edward Corbet, A. M. Merton-college, Oxon.
* Robert Crosse, D. D. afterward vicar of Chew, Somerset.
** Mr. Philip Delme, superadded.
Mr. Thomas Dillingham, of Dean.
* Calibute Downing, D. D. of Hackney.
Mr. William Dunning, of Godalston.
** The reverend Mr. John Drury, superadded.
Mr. Edward Ellis, B. D. Gilfield.
Mr. John Erle, of Bishopstone.
* Daniel Featley, D. D. of Lambeth.
** Mr. Thomas Ford, A. M. superadded.
** Mr. John Foxcroft, of Gotham.
Mr. Hannibal Gammon, A. M. of Cornwall.
** Thomas Gataker, B. D. Rotherhithe.
** Mr. Samuel Gibson, of Burleigh.
** Mr. John Gibbon, of Waltham.
** Mr. George Gippes, of Aylston.
** Thomas Goodwin, D. D. of London, afterward president of Magdalen-college, Oxon.
** Mr. William Goad, superadded.
** Mr. Stanley Gower, of Brampton-Bryan.
** William Gouge, D. D. of Blackfriars.
** Mr. William Greenhill, of Stepney.
** Mr. Green, of Pentecomb.
John Hacket, D. D. of St. Andrew's, Holborn, afterward bishop of Litchfield.
Henry Hammond, D. D. of Penshurst, Kent.
** Mr. Henry Hall, B. D. Norwich.
** Mr. Humphrey Hardwicke, superadded.
* John Harris, D. D. prebendary of Winchester, warden of Wickham.
** Robert Harris, D. D. of Hanwell, president of Trinity-college, Oxon.
** Mr. Charles Herle, A. M. Winwick, afterward prolocutor.
** Mr. Richard Heyrick, A. M. of Manchester.
** Thomas Hill, D. D. of Tichmarsh, afterward master of Trinity-college, Cambridge.
* Samuel Hildersham, B. D. of Felton.
** Mr. Jasper Hickes, A. M. of Lawrick.
** Mr. Thomas Hodges, B. D. of Kensington.
* Richard Holdsworth, D. D. master of Emanuel-college, Cambridge.
** Joshua Hoyle, D. D. of Dublin, Ireland.
Mr. Henry Hutton.
** Mr. John Jackson, A. M. of Queen's college, Cambridge.
* Mr. Johnson.
Mr. Lance, Harrow, Middlesex.
** Mr. John Langley, of West Tuderley, prebendary, Gloucester.
** Mr. John Ley, A. M. Great Budworth.
** The reverend John Lightfoot, D. D. of Ashby, master of Catherine-house.
* Richard Love, D. D. of Ekinton.
* Mr. Christopher Love, A. M. superadded.
Mr. William Lyford, A. M. Sherbourne.
* Mr. John de la March, minister of the French church.
** Mr. Stephen Marshal, B. D. of Finchingfield.
* Mr. William Massam, superadded.
Mr. John Maynard, A. M. superadded.
** Mr. William Mew, B. D. of Essington.
** Mr. Thomas Micklethwait, Cheriburton.
George Morley, D. D. afterward bishop of Winchester.
Mr. William Moreton, Newcastle.
* Mr. Moore.
** Mr. Matthew Newcomen, Dedham.
* Mr. William Newscore, superadded.
William Nicholson, D. D. afterward bishop of Gloucester.
Mr. Henry Nye, of Clapham.
** Mr. Philip Nye, of Kimbolton.
Mr. Herbert Palmer, B. D. Ashwell, afterward assessor.
Mr. Henry Painter, of Exeter.
Mr. Christopher Parkly, of Hawarden.
** Mr. Edward Peal of Compton.
** Mr. Andrew Pern, of Wilby, Northampton.
** Mr. John Philips, Wrentham.
** Mr. Benjamin Pickering, East-Hoatly.

** Mr. Samuel de la Place, minister of the French church.
** Mr. William Price, of St. Paul's, Covent-garden.
John Prideaux, D. D. bishop of Worcester.
** Nicholas Proffet, of Marlborough.
Mr. John Pyne, of Bereferrars.
** Mr. William Rathband, of Highgate.
** Mr. William Reyner, B. D. Egham.
** Edward Reynolds, of Brampton, D. D. afterward bishop of Norwich.
** Mr. Arthur Salway, Severn Stoke.
Robert Saunderson, D. D. afterward bishop of Lincoln.
** Mr. Henry Scudder, of Colingbourne.
** Lazarus Seaman, B. D. of London, master of Peter-house, Cambridge.
** Mr. Obadiah Sedgwick, B. D. Coggeshall.
Mr. Josias Shute, B. D. Lombard-street.
** The reverend Mr. Sydrach Sympson, London.
** Peter Smith, D. D. of Barkway.
** William Spurstow, D. D. of Hampden.
** Edmund Staunton, D. D. of Kingston.
** Mr. Peter Sterry, London.
** Mr. John Strickland, B. D. New Sarum, superadded.
** Matthew Styles, D. D. Eastcheap.
** Mr. Strong, Westminster, superadded.
** Mr. Francis Taylor, A. M. Yalding.
** Thomas Temple, D. D. of Battersey.
** Mr. Thomas Thoroughgood, Massingham.
** Mr. Christopher Tisdale, Uphurstbourne.
Mr. Henry Tozer, B. D. Oxon.
** Anthony Tuckney, D. D. of Boston, afterward master of St. John's college, Oxon, and Regius professor.
** Mr. Thomas Valentine, B.D. Chalfort, Saint Giles's.
** Mr. Rich. Vines, A.M. of Calcot, master of Pembroke-house, Cambridge.
The most reverend Dr. James Usher, archbishop of Armagh.
** Mr. George Walker, B. D. St. John the Evangelist.
Samuel Ward, D. D. master of Sidney-college Cambridge.
** Mr. John Wallis, afterward D. D. and scribe.
** Mr. John Ward, superadded.
Mr. James Welby, Sylatten.
* Thomas Westfield, D. D. bishop of Bristol.
** Mr. Jeremiah Whitaker, A. M. Stretton.
Mr. Francis Whiddon, Moreton.
** Henry Wilkinson, senior, D.D. Waddeson, afterward Margaret professor, Oxon.
** Mr. Henry Wilkinson, junior, B. D. St. Dunstan's.
** Mr. Thomas Wilson, Otham.
* Thomas Wincop, D. D. Elesworth.
** John Wincop, D. D. St. Martin's in the Fields.
** Mr. Francis Woodcock, proctor of the university of Cambridge.
** Mr. Thomas Young, Stow-market.

Ministers from Scotland.

** Mr. Alexander Henderson.
** Mr. George Gillespie.
** Mr. Samuel Rutherford.
** Mr. Robert Bayly.

Before the assembly sat, the king, by his royal proclamation of June 22, forbade their meeting for the purposes therein mentioned; and declared, that no acts done by them ought to be received by his subjects; he also threatened to proceed against them with the utmost severity of the law;* nevertheless, sixty-nine assembled in king Henry VII.'s chapel the first day, according to summons, not in their canonical habits, but chiefly in black coats and bands in imitation of the foreign Protestants. Few of the episcopal divines appeared, and those who did, after some time, withdrew for the following reasons.

Obj. 1. "Because the assembly was prohibited by the royal proclamation; which Dr. Twisse, in his sermon at

* Dr. Grey refers to the 25th of Henry VIII. cap. 19, or the act of submission of the clergy, to prove this assembly illegal.—Ed.

the opening the assembly, lamented, but hoped in due time his majesty's consent might be obtained.

Answ. To which it was replied, " That the constitution at present was dissolved; that there were two sovereign contending powers in the nation; and if the war in which the parliament was engaged was just and necessary, they might assume this branch of the prerogative, till the nation was settled, as well as any other.

Obj. 2. " Because the members of the assembly were not chosen by the clergy, and therefore could not appear as their representatives."

Answ. To which it was answered, " That the assembly was not designed for a national synod, or representative body of the clergy, but only as a committee, or council to the parliament, to give their opinion touching such church-matters as the houses should lay before them; they had no power of themselves to make laws or canons, or determine controversies in matters of faith. They were to enter upon no business but what the parliament appointed, and when they had done they were to offer it to the two houses only as their humble advice; and surely the parliament might choose their own council, without being obliged to depend upon the nomination of the clergy."

Obj. 3. " But as great an exception as any, was their dislike of the company, and of the business they were to transact; there was a mixture of laity with the clergy; the divines were for the most part of a Puritanical stamp, and enemies to the hierarchy; and their business (they apprehended) was to pull down that which they would uphold.

Answ. " This being not designed for a legal convocation, but for a council to the parliament in the reformation of the church, they apprehended they had a power to join some of their own members with such a committee or council, without intrenching upon the rights of convocation.— The divines, except the Scots and French, were in episcopal orders, educated in our own universities, and most of them graduates; their business was only to advise about such points of doctrine and church-discipline as should be laid before them, in which the episcopal divines might have been of service, if they had continued with the assembly, to which they were most earnestly invited."

I believe no set of clergy since the beginning of Chri-

tianity have suffered so much in their characters and reputations,* as these, for their advices to the two houses of parliament. In his majesty's proclamation of June 22, the far greater part of them are said to be men of no learning or reputation. Lord Clarendon admits,† "about twenty of them were reverend and worthy persons, and episcopal in their judgments; but as to the remainder, they were but pretenders to divinity; some were infamous in their lives and conversations, and most of them of very mean parts and learning, if not of scandalous ignorance, and of no other reputation than of malice to the church of England." His lordship would insinuate, that they understood not the original text, because the learned Mr. Selden sometimes corrected the English translation of their little pocket Bibles, and put them into confusion, by his uncommon acquaintance with Jewish antiquities; as if that great man would have treated a convocation with more decency or respect.‡ But archbishop Laud's account is still more extravagant; for though it is notorious the assembly would not allow a toleration to those whom they called sectaries, yet his grace says, "the greatest part of them were Brownists or Independents, or New-England ministers, if not worse or at best enemies to the doctrine and discipline of the church of England;" whereas in truth there was not above six Independents in the assembly, and not one New-England minister that I know of. If the reader will carefully peruse the list, he will find in it some of the most considerable laywers and

* "And no set of clergy (says Dr. Grey) ever deserved it more:" and to shew this, he quotes a virulent invective against them by Gregory Williams, bishop of Ossory.—Ed.

† Clarendon, vol. 1. p. 530.

‡ Bishop Warburton has no doubt but Mr. Selden would have treated a convocation with more decency and respect. For his lordship adds, "he had infinitely more esteem for the learning of the episcopal clergy, though, perhaps, no more love for their persons." In what estimation Mr. Selden held the learning of the episcopal clergy, has been shewn vol. 2. p. 128, the note. With what respect he was likely to speak of a convocation, the reader will judge from the following passage, in his Table Talk, p. 37, in the edition of 1777, under the word clergy. "The clergy and laity together are (says he) never like to do well; it is as if a man were to make an excellent feast, and should have his apothecary and his physician come into the kitchen: the cooks, if they were let alone, would make excellent meat, but then comes the apothecary, and he puts rhubarb into one sauce, and agaric into another sauce. Chain up the clergy on both sides." That he had no high opinion of the power and authority of a convocation, may be concluded from his comparing it to "a court-leet, where they have a power to make by-laws as they call them; as that a man shall put so many cows or sheep in the common; but they can make nothing that is contrary to the laws of the kingdom." Under the word convocation, p. 45. —Ed.

ablest divines of the last age; and though they might have mistaken notions of church-discipline, and were no better acquainted with the rights of conscience and private judgment, than their predecessors the bishops, yet with all their faults, impartial posterity must acknowledge the far greater number were men of exemplary piety and devotion, who had a real zeal for the glory of God, and the purity of the Christian faith and practice. Mr. Echard confesses, that lord Clarendon had perhaps with two much severity said, that some of these divines were infamous in their lives and characters; but Mr. Baxter, who was better acquainted with them than his lordship, or any of his followers, affirms, "that they were men of eminent learning, godliness, ministerial abilities, and fidelity."

The assembly was opened on Saturday July 1, 1643, with a sermon preached by Dr. Twisse in king Henry VII.'s chapel, both houses of parliament being present. The ordinance for their convention was then read, and the names of the members called over, after which they adjourned to Monday, and agreed on the following rules:

(1.) "That every session begin and end with a prayer.

(2.) "That after the first prayer, the names of the assembly be called over, and those that are absent marked; but if any member comes in afterward, he shall have liberty to give in his name to the scribes.

(3.) "That every member before his admission to sit and vote, do take the following vow or protestation:

"I A. B. do seriously and solemnly, in the presence of Almighty God, declare that in this assembly whereof I am a member, I will not maintain any thing in matter of doctrine but what I believe in my conscience to be most agreeable to the word of God; or in point of discipline, but what I shall conceive to conduce most to the glory of God, and the good and peace of his church."

And to refresh their memories this protestation was read in the assembly every Monday morning.

(4.) "That the appointed hour of meeting be ten in the morning; the afternoon to be reserved for committees.

(5.) "That three of the members of the assembly be appointed weekly as chaplains, one to the house of lords, another to the house of commons, and a third to the committee of both kingdoms." The usual method was to take it by

turns, and every Friday the chaplains were appointed for the following week.

(6.) " That all the members of the assembly have liberty to be covered, except the scribes ;" who sometime after had also this liberty indulged them.

Besides these, the parliament on the Thursday following sent them some farther regulations. As,

(1.) " That two assessors be joined with the prolocutor, to supply his place in case of absence or sickness, viz. Dr. Cornelius Burges, and the reverend Mr. John White of Dorchester.

(2.) " That scribes be appointed, who are not to vote in the assembly, viz. the reverend Mr. Roborough and Mr. Byfield.

(3.) " That every member at his first entrance into the assembly take the forementioned protestation.

(4.) " That no resolution be given upon any question the same day wherein it was first proposed.

(5.) " What any man undertakes to prove as a necessary truth in religion, he shall make good from the Holy Scriptures.

(6.) " No man shall proceed in any dispute, after the prolocutor has enjoined him silence, unless the assembly desire he may go on.

(7.) " No man shall be denied the liberty of entering his dissent from the assembly, with his reasons for it, after the point has been debated; from whence it shall be transmitted to parliament, when either house shall require it.

(8.) " All things agreed upon and prepared for the parliament, shall be openly read, and allowed in the assembly, and then offered as their judgment, if the majority assent; provided, that the opinions of the persons dissenting, with their reasons, be annexed, if they desire it, and the solution of those reasons by the assembly."

The proceedings being thus settled, the parliament sent the assembly an order to review the thirty-nine articles of the church; but before they entered upon business, viz. July 7, they petitioned the two houses for a fast, on a day when the Rev. Mr. Bowles and Matthew Newcomen preached before them. Upon which petition bishop Kennet passes the following severe censure, " Impartially speaking, it is stuffed with schism, sedition, and cruelty:" I will therefore set the

substance of the petition before the reader in their own language, that he may form his own judgment upon it, and upon the state of the nation.

"To the right honourable the lords and commons assembled in parliament,—The humble petition of divers ministers of Christ, in the name of themselves, and sundry others, humbly sheweth,

"That your petitioners, upon serious consideration, and deep sense of God's heavy wrath lying upon us, and hanging over our heads, and the whole nation, manifested particularly by the two late sad and unexpected defeats of our forces in the north and in the west, do apprehend it to be our duty, as watchmen for the good of the church and kingdom, to present to your religious and prudent consideration these ensuing requests, in the name of Jesus Christ, your Lord and ours.

First, "That you will be pleased to command a public and extraordinary day of humiliation this week, throughout the cities of London, Westminster, the suburbs of both, and places adjacent within the weekly bills of mortality, that every one may bitterly bewail his own sins, and cry mightily to God, for Christ's sake, to remove his wrath, and to heal the land; with professedly new resolution of more full performance of the late covenant, for the amendment of our ways.

Secondly, "That you would vouchsafe instantly to take into your most serious consideration, how you may more speedily set up Christ more gloriously in all his ordinances within this kingdom, and reform all things amiss throughout the land, wherein God is more specially and more immediately dishonoured, among which we humbly lay before you these particulars:

1. "That the brutish ignorance and palpable darkness possessing the greatest part of the people, in all places of the kingdom may be remedied, by a speedy and strict charge to all ministers, constantly to catechise all the youth and ignorant people within their parishes.

2. "That the grievous and heinous pollution of the Lord's supper, by those who are grossly ignorant, and notoriously profane, may be henceforth, with all Christian care and due circumspection, prevented.

3. "That the bold venting of corrupt doctrines, directly

contrary to the sacred law of God, may be speedily suppressed.

4. "That the profanation of any part of the Lord's day, and the days of solemn fasting, by buying, selling, working, sporting, travelling, or neglecting of God's ordinances, may be remedied, by appointing special officers in every place for the due execution of all good laws and ordinances against the same.

5. "That there may be a thorough and speedy proceeding against blind guides, and scandalous ministers; and that your wisdom would find out some way to admit into the ministry such godly and hopeful men as have prepared themselves, and are willing thereunto, without which there will suddenly be such a scarcity of able and faithful ministers, that it will be to little purpose to cast out such as are unable, idle, or scandalous.

6. "That the laws may be quickened against swearing and drunkenness, with which the land is filled and defiled, and under which it mourns.

7. "That some severe course be taken against fornication, adultery, and incest, which do greatly abound.

8. "That all monuments of idolatry and superstition, but more especially the whole body and practice of Popery, may be totally abolished.

9. "That justice may be executed on all delinquents, according to your religious vow and protestation to that purpose.

10. "That all possible means may be used for the speedy relief and release of our miserable and extremely distressed brethren, who are prisoners in Oxford, York, and elsewhere, whose heavy sufferings cry aloud in the ears of our God; and it would lie very heavy on the kingdom should they miscarry, suffering as they do for the cause of God.

"That so God, who is now by the sword avenging the quarrel of his covenant, beholding your integrity and zeal, may turn from the fierceness of his wrath, hear our prayers, go forth with our armies, perfect the work of reformation, forgive our sins, and settle truth and peace throughout the kingdom.

"And your petitioners shall ever pray, &c."*

* Rushworth, vol. 5. p. 344.

Pursuant to this petition, Friday July 21* was appointed for a fast, when the reverend Mr. Hill, Mr. Spurstow, and Mr. Vines, preached before both houses of parliament and the assembly together; and the fast was observed with great solemnity in all the churches within the limits abovementioned.

Next day a committee of divines was appointed to consider what amendments were proper to be made in the doctrinal articles of the church of England, and report them to the assembly, who were ten weeks in debating upon the first fifteen, before the arrival of the Scots commissioners; the design was to render their sense more express and determinate in favour of Calvinism. It is not necessary to trouble the reader with the theological debates; but the articles, as they were new modelled, being rarely to be met with, I have placed them in the appendix, with the orginal articles of the church, in opposite columns, that the reader, by comparing them, may judge whether the alterations are real improvements.†

As the assembly were for strengthening the doctrines of the church against Arminianism, they were equally solicitous to guard against the opposite extreme of Antinomianism, for which purpose they appointed a committee to peruse the writings of Dr. Crisp, Eaton, Saltmarsh, and others; who having drawn out some of their most dangerous positions, reported them to the assembly, where they were not only condemned, but confuted in their public sermons and writings.

At this time the interest of the parliament was so reduced, they were obliged to call in the assistance of the Scots. The conservators of the peace of that kingdom had appointed a convention of the states June 22, under pretence of securing their country against the power of the royal army in the north;‡ and a general assembly, August 2, to consider the state of religion. His majesty would have prevented their meeting, but that being impracticable, he gave orders to

* "July 7 (Dr. Grey says) was the day on which Mr. Bowles and Newcomen preached."—Ed.

† Appendix, no. 7.

‡ Yet these conservators issued out, in the king's name, a proclamation for all persons, from sixteen to sixty years old, to appear in arms. "At which (says Rushworth) the king was much incensed." Dr. Grey. Who will not own, that he had great reason to resent his name being used against himself?—Ed.

limit their consultations to the concerns of their own country; but the parliament of England sent the earl of Rutland, sir William Armyn, sir H. Vane, Mr. Hatcher, Mr. Darley, and two divines from Westminster, viz. Mr. Marshal and Mr. Nye, with letters to each of these assemblies, desiring their assistance in the war, and the assistance of some of their divines with those at Westminster, to settle a uniformity of religion and church-government between the two nations. To enforce these requests they delivered a letter from the assembly, "setting forth the deplorable condition of the kingdom of England, which was upon the edge of a most desperate precipice, ready to be swallowed up by Satan and his instruments; they represent the cruelty of their enemies against such as fall into their hands, being armed against them, not only as men, but as Christians, as Protestants, and as reformers, and that if they should be given up to their rage, they fear it will endanger the safety of all the Protestant churches. In a deeper sense of this danger (say they) than we can express, we address you in the bowels of Christ, for your most fervent prayers and advice, what farther to do for the making our own and the kingdom's peace with God, and for the uniting the Protestant party more firmly, that we may all serve God with one consent, and stand up against antichrist as one man."*

The commissioners arrived at Edinburgh August 9, and were favourably received by the assembly, who proposed as a preliminary, that the two nations should enter into a perpetual covenant for themselves and their posterity, that all things might be done in God's house according to his will; and having appointed some of their number to consult with the English commissioners about a proper form, they chose delegates for the Westminster-assembly, and unanimously advised the convention of states to assist the parliament in the war, for the following reasons:

1. "Because they apprehend the war was for religion. 2. Because the Protestant faith was in danger. 3. Gratitude for former assistances at the time of the Scots reformation, required a suitable return. 4. Because the churches of Scotland and England being embarked in one bottom, if one be ruined the other cannot subsist. 5. The prospect of

* Rushworth, vol. 5. p. 463. 466. 469.

uniformity between the two kingdoms in discipline and worship, will strengthen the Protestant interest at home and abroad. 6. The present parliament had been friendly to the Scots, and might be so again. 7. Though the king had so lately established their religion according to their desires, yet they could not confide in his royal declarations, having so often found *facta verbis contraria.*"*

The instructions of the commissioners sent to the assembly at Westminster, were to promote the extirpation of Popery, prelacy, heresy, schism, scepticism, and idolatry, and to endeavour a union between the two kingdoms in one confession of faith, one form of church-government, and one directory of worship.

The committee for drawing up the solemn league and covenant delivered it into the assembly August 17, where it was read and highly applauded by the ministers and lay-elders, none opposing it except the king's commissioners; so that it passed both the assembly and convention in one day,† and was dispatched next morning to Westminster, with a letter to the two houses, wishing that it might be confirmed, and solemnly sworn and subscribed in both kingdoms, as the surest and strictest obligation to make them stand and fall together in the cause of religion and liberty.

Mr. Marshal and Nye, in the letter to the assembly of August 18, assure their brethren, the Scots clergy were entirely on the side of the parliament in this quarrel, against the Popish and episcopal faction; that there were between twenty and thirty of the prime nobility present, when the covenant passed the convention; and that even the king's commissioners confessed, that in their private capacity they were for it, though as his majesty's commissioners they were bound to oppose it. So that if the English parliament (say they) comply with the form of this covenant, we are persuaded the whole body of the Scots kingdom will live and die with them, and speedily come to their assistance.

* Rushworth, vol. 5. p. 472, &c.

† "Wise observers (bishop Burnet adds) wondered to see a matter of that importance, carried through upon so little deliberation or debate. It was thought strange to see all their consciences of such a size, so exactly to agree as the several wheels of a clock; which made all apprehend, there was some first mover that directed all those other motions: this by the one party was imputed to God's extraordinary providence, but by others to the power and policy of the leaders and the simplicity and fear of the rest." Memoirs of the Duke of Hamilton, p. 239.—Ed.

When their commissioners arrived at London, they presented the covenant to the two houses, who referred it to the assembly of divines, where it met with some little opposition; Dr. Featly declared, he durst not abjure prelacy absolutely, because he had sworn to obey his bishop in all things lawful and honest, and therefore proposed to qualify the second article thus,—"I will endeavour the extirpation of Popery, and all antichristian, tyrannical, or independent prelacy;" but it was carried against him. Dr. Burges objected to several articles, and was not without some difficulty persuaded to subscribe, after he had been suspended. The prolocutor Mr. Gataker, and many others, declared for primitive episcopacy, or for one stated president with his presbyters to govern every church; and refused to subscribe till a parenthesis was inserted, declaring what sort of prelacy was to be abjured, viz. "[church-government by archbishops, bishops, deans and chapters, archdeacons, and all other ecclesiastical officers depending upon them.]"* The Scots, who had been introduced into the assembly September 15, were for abjuring episcopacy as simply unlawful, but the English divines were generally against it.

Bishop Burnet says, our commissioners pressed chiefly for a civil league, but the Scots would have a religious one, to which the English were obliged to yield, taking care, at the same time, to leave a door open for a latitude of interpretation.† Sir Henry Vane put the word "league" into the title, as thinking that might be broken sooner than a covenant; and in the first article he inserted that general phrase, of reforming "according to the word of God;" by which the English thought themselves secure from the inroads of presbytery; but the Scots relied upon the next words, "and according to the practice of the best reformed churches;" in which they were confident their discipline must be included. When Mr. Colman read the covenant before the house of lords, in order to their subscribing it, he declared, that by prelacy all sorts of episcopacy were not intended, but only the form therein described. Thus the wise men on both sides endeavoured to outwit each other in wording the articles; and with these slight amendments the covenant passed the assembly and both houses of parliament; and by

* Calamy's Abridgment, p. 81.
† Duke of Hamilton's Memoirs, p. 237. 240.

an order dated September 21, was printed and published as follows:

"A solemn league and covenant for reformation and defence of religion, the honour and happiness of the king, and the peace and safety of the three kingdoms of England, Scotland, and Ireland.

"We noblemen, barons, knights, gentlemen, citizens, burgesses, ministers of the gospel, and commons of all sorts, in the kingdoms of England, Scotland, and Ireland, by the providence of God, living under one king, and being of one reformed religion, having before our eyes the glory of God, and the advancement of the kingdom of our Lord and Saviour Jesus Christ, the honour and happiness of the king's majesty, and his posterity, and the true public liberty, safety, and peace, of the kingdoms, wherein every one's private condition is included; and calling to mind the treacherous and bloody plots, conspiracies, attempts, and practices, of the enemies of God, against the true religion, and professors thereof in all places especially in these three kingdoms, ever since the reformation of religion; and how much their rage, power, and presumption, are of late and at this time increased and exercised, whereof the deplorable estate of the church and kingdom of Ireland, the distressed estate of the church and kingdom of England, and the dangerous estate of the church and kingdom of Scotland, are present and public testimonies; we have (now at last) after other means of supplication, remonstrance, protestations, and sufferings, for the preservation of our lives and our religion, from utter ruin and destruction, according to the commendable practice of these kingdoms in former times, and the example of God's people in other nations, after mature deliberation, resolved and determined to enter into a mutual and solemn league and covenant, wherein we all subscribe, and each one of us for himself, with our hands lifted up to the most high God, do swear.

I.

"That we shall sincerely, really, and constantly, through the grace of God, endeavour in our several places and callings, the preservation of the reformed religion in the church of Scotland, in doctrine, worship, discipline, and government, against our common enemies; the reformation of religion in the kingdoms of England and Ireland, in doc-

trine, worship, discipline, and government, according to the word of God, and the example of the best reformed churches; and we shall endeavour to bring the church of God in the three kingdoms to the nearest conjunction, and uniformity in religion, confessing of faith, form of church-government, directory for worship, and catechising, that we, and our posterity after us, may, as brethren, live in faith and love, and the Lord may delight to dwell in the midst of us.

II.

"That we shall in like manner, without respect of persons, endeavour the extirpation of Popery, prelacy (that is, church-government by archbishops, bishops, their chancellors and commissaries, deans, deans and chapters, archdeacons, and all other ecclesiastical officers depending on that hierarchy), superstition, heresy, schism, profaneness, and whatsoever shall be found to be contrary to sound doctrine, and the power of godliness, lest we partake in other men's sins, and thereby be in danger to receive of their plagues; and that the Lord may be one, and his name one, in the three kingdoms.

III.

"We shall, with the same reality, sincerity, and constancy, in our several vocations, endeavour with our estates and lives, mutually to preserve the rights and privileges of the parliaments, and the liberties of the kingdoms, and to preserve and defend the king's majesty's person and authority, in the preservation and defence of the true religion and liberties of the kingdoms, that the world may bear witness with our consciences, of our loyalty, and that we have no thoughts or intentions to diminish his majesty's just power and greatness.

IV.

"We shall also, with all faithfulness, endeavour the discovery of all such as have been or shall be incendiaries, malignants, or evil instruments, by hindering the reformation of religion, dividing the king from his people, or one of the kingdoms from another, or making any factions or parties among the people, contrary to the league and covenant, that they may be brought to public trial, and receive condign punishment, as the degree of their offences shall require or deserve, or the supreme judicatories of both kingdoms re-

spectively, or others having power from them for that effect shall judge convenient.

V.

"And whereas the happiness of a blessed peace between these kingdoms, denied in former times to our progenitors, is by the good providence of God granted unto us, and has been lately concluded and settled by both parliaments, we shall, each one of us according to our places and interests, endeavour that we may remain conjoined in a firm peace and union to all posterity, and that justice may be done on all the wilful opposers thereof, in manner expressed in the precedent articles.

VI.

"We shall also, according to our places and callings, in this common cause of religion, liberty, and peace of the kingdom, assist and defend all those that enter into this league and covenant, in the maintaining and pursuing thereof; and shall not suffer ourselves, directly or indirectly, by whatsoever combination, persuasion, or terror, to be divided and withdrawn from this blessed union and conjunction, whether to make defection to the contrary part, or give ourselves to a detestable indifferency or neutrality in this cause, which so much concerneth the glory of God, the good of the kingdoms, and honour of the king; but shall all the days of our lives, zealously and constantly continue therein against all opposition, and promote the same according to our power, against all lets and impediments whatsoever; and what we are not able ourselves to suppress or overcome, we shall reveal and make known, that it may be timely prevented or removed.

"And because these kingdoms are guilty of many sins and provocations against God, and his son Jesus Christ, as is too manifest by our present distresses and dangers, the fruits thereof, we profess and declare, before God and the world, our unfeigned desire to be humbled for our own sins, and for the sins of these kingdoms; especially that we have not, as we ought, valued the inestimable benefit of the gospel; that we have not laboured for the purity and power thereof; and that we have not endeavoured to receive Christ in our hearts, nor to walk worthy of him in our lives, which are the cause of other sins and transgressions so much abounding amongst us; and our true and unfeigned purpose, de-

sire, and endeavour, for ourselves and all others under our charge, both in public and private, in all duties we owe to God and man, to amend our lives, and each one to go before another in the example of a real reformation, that the Lord may turn away his wrath and heavy indignation, and establish these churches and kingdoms in truth and peace. And this covenant we make in the presence of Almighty God, the searcher of all hearts, with a true intention to perform the same, as we shall answer at that great day when the secrets of all hearts shall be disclosed; most humbly beseeching the Lord to strengthen us by his Holy Spirit for this end, and to bless our desires and proceedings with such success as may be a deliverance and safety to his people, and encouragement to the Christian churches, groaning under, or in danger of, the yoke of antichristian tyranny, to join with the same or like attestation and covenant, to the glory of God, the enlargement of the kingdom of Jesus Christ, and the peace and tranquillity of Christian kingdoms and commonwealths."*

Monday September 25, 1643, was appointed for subscribing this covenant, when both houses, with the Scots commissioners and assembly of divines, being met in the church of St. Margaret's Westminster, the reverend Mr. White of Dorchester opened the solemnity with prayer; after him Mr. Henderson and Mr. Nye spoke in justification of taking the covenant from Scripture-precedents, and displayed the advantage the church had received from such sacred combinations. Mr. Henderson spoke next, and declared that the states of Scotland had resolved to assist the parliament of England, in carrying on the ends and designs of this covenant; then Mr. Nye read it from the pulpit with an audible voice article by article, each person standing uncovered, with his right hand lifted up bare to heaven, worshipping the great name of God, and swearing to the performance of it.† Dr. Gouge concluded the solemnity with prayer, after which the house of commons went up into the chancel, and subscribed their names in one roll of parchment, and the assembly in another, in both which the covenant was fairly transcribed. Lord's day following it was tendered to all persons within the bills of mortality, being read in the several churches to their congregations as above. October 15,

* Rushworth, vol. 5. p. 478. † Ibid. p. 475.

it was taken by the house of lords, after a sermon preached by Dr. Temple, from Nehemiah x. 29, and an exhortation by Mr. Colman. October 29, it was ordered by the committee of states in Scotland to be sworn to, and subscribed all over that kingdom, on penalty of the confiscation of goods and rents, and such other punishment as his majesty and the parliament should inflict on the refusers.* All the lords of the council were summoned to sign the covenant November 2, and those who did not, to appear again the 14th of the same month, under the severest penalties, when some of the king's party not attending were declared enemies to religion, and to their king and country; November 17, their goods were ordered to be seized, and their persons apprehended; upon which they fled into England. Such was the unbounded zeal of that nation! February 2, following, the covenant was ordered to be taken throughout the kingdom of England, by all persons above the age of eighteen years; and the assembly were commanded to draw up an exhortation to dispose people to it, which being approved by both houses, was published under the title of

"An exhortation to the taking of the solemn league and covenant, for reformation and defence of religion, the honour and happiness of the king, and the peace of safety of the three kingdoms of England, Scotland, and Ireland, and for satisfying such scruples as may arise in the taking of it; assented to by the house, and ordered to be printed."

"*Die Veneris*, February 9, 1643.

"If the power of religion, or solid reason; if loyalty to the king, and piety to their native country, or love to themselves, and natural affection to their posterity; if the example of men touched with a deep sense of all these; or extraordinary success from God thereupon, can awaken an embroiled bleeding remnant to embrace the sovereign and only means of their recovery, there can be no doubt but this solemn league and covenant will find, wheresoever it shall be tendered, a people ready to entertain it with all cheerfulness and duty.

"And were it not commended to the kingdom by the concurrent encouragement of the honourable houses of parliament, the assembly of divines, the renowned city of London, multitudes of other persons of eminent rank and quality of

* Duke of Hamilton's Memoirs, p. 240.

this nation, and the whole body of Scotland, who have all willingly sworn and subscribed it with rejoicing at the oath, so graciously seconded from heaven already, by blasting the counsels, and breaking the power, of the enemy more than ever, yet it goeth forth in its own strength with such convincing evidence of equity, truth, and righteousness, as may raise in all (not wilfully ignorant, or miserably seduced) inflamed affections to join with their brethren in this happy bond, for putting an end to the present miseries, and for saving both king and kingdom from utter ruin, now so strongly and openly laboured by the Popish faction, and such as have been bewitched and besotted by that viperous and bloody generation."*——

It then proceeds to answer objections against taking the covenant; as,

Obj. 1. That it obliges to the expiration of prelacy, which stands as yet by the known laws of the land.

Answ. The life and soul of the hierarchy is already taken away; nothing of jurisdiction remaining; and since it is but a human constitution, if it be found a grievance, we may certainly endeavour its extirpation in a lawful way.

Obj. 2. It is said to be inconsistent with the oath of canonical obedience.

Answ. If men have sworn obedience to the laws of the land, may they not endeavour by lawful means the repealing those laws, if they are found inconvenient? or if any ministers have taken oaths not warranted by the laws of God and the land, ought they not to repent of them?

Obj. 3. But the covenant crosses the oaths of supremacy and allegiance.

Answ. This is false, for it binds to the preservation of the king's person and authority, in the defence of the religion and liberties of the kingdom.

Obj. 4. But it is done without the king's consent.

Anw. So was the protestation of May 5, which went through the whole kingdom, his majesty not excepting against it, though he was then at Whitehall. The same has been done by the united Netherlands under *king Philip*; and more lately in Scotland, his majesty himself declaring by act of parliament, that they had done nothing but what became loyal and obedient subjects.

* Rushworth, vol. 5. p. 475. Husband's Collections, p. 424.

Dr. Barwick says,* that some persons in the university of Cambridge published an answer to this exhortation, which I have not seen; but if the reader will look forward to the year 1647, he will find the reasons of the university of Oxford against it, confirmed in convocation, the validity of which he will judge of for himself. It is certain most of the religious† part of the nation, who apprehended the Protestant religion in danger, and were desirous of reducing the hierarchy of the church, were zealous for the covenant. Others took it only in obedience of the parliament, being sensible of the distressed circumstances of their affairs, and that the assistance of the Scots was to be obtained on no other terms.‡ But as it was a test of a mixed nature, and contained some obligations upon conscience, which wise and honest men might reasonably scruple, who were otherwise well affected to the Protestant religion, and the liberties of their country, the imposing it as a test can never be justified, though it appears, most of the episcopal divines who made the greatest figure in the church after the Restoration, did not refuse it.

Together with the exhortation of the assembly, the following orders§ and instructions were dispersed over the kingdom.

Ordered, "That copies of the covenant be sent to all commanders-in-chief, and governors of towns, forts, garrisons, and soldiers, that it may be taken by all soldiers under their command.

"That copies be sent to the committees of parliament, in the several counties that are under the power of the parliament, and that the committees within six days disperse the said copies, and cause them to be delivered to the ministers, churchwardens, or constables, of the several parishes.

"That the several ministers be required to read the covenant to the people, the next Lord's day after they have prepared the people to take it.

"That the committees of parliament take it themselves

* Life of Barwick, p. 35.

† "That is (says bishop Warburton), the Puritan: for Puritanism and religion are convertible terms with this historian." This evidently appears to be remarked with a sneer, and to impeach the impartiality of Mr. Neal. But in answer to the remark it may be observed, that it is not candid to interpret Mr. Neal's words, as if he limited all seriousness of character to the Puritans; and then the question is, whether the fact was not as Mr. Neal states it? if it were, his language is irreprehensible. —Ed.

‡ Rapin, vol. 12. p. 133. § Husband's Collections, p. 420.

within seven days after they have received the copies; and then disperse themselves throughout their counties, so as three or four of them may be together at the several places appointed for the people to take it. That they summon all the ministers, churchwardens, constables, and other officers, to that place, and after a sermon preached by a minister whom they shall appoint, they shall cause the said minister to tender the covenant to all such ministers and other officers, to be taken and subscribed in the presence of the committee.

"The said ministers are then to be required to tender the covenant to all the rest of their parishioners next Lord's day, and if any minister refuse or neglect to appear at the said summons, or refuse to take the said covenant, the committee shall appoint another minister to do it in his place.

"If any minister refuse to take or tender the covenant; or if any other person refuse to take it after a second tender, upon two Lord's days, their names shall be returned to the committee, and by them to the house of commons; and all persons that absent themselves after notice given, shall be returned as refusers."

The English in foreign parts were not exempted from this test; directions were sent to Mr. Strickland, the parliament's agent at the Hague, to tender it to all the English in those countries, and to certify the names of such as refused.* Here the elector palatine took it, and after some time came into England, and condescended to sit in the assembly of divines. December 20, 1643, it was ordered by the lords and commons, that no person should be capable of being elected a common-council-man of the city of London, or so much as have a voice in such elections; who has not taken the covenant.† On the 29th of January 1644, it was ordered by the commons, that the solemn league and covenant be, upon every day of fasting and public humiliation, publicly read in every church and congregation within the kingdom; and every congregation is enjoined to have one fairly printed in a large letter, in a table fitted to be hung up in a public place of the church or congregation, to be read by the people. All young ministers were required to take the covenant at their ordination; none of the laity were continued in any office of trust, either civil or military, who

* Whitelocke, p. 79. Parliamentary Chronicle, p. 172.
† Husband's Collections, p. 404.

refused it. When the war was ended, all the noblemen, knights, gentlemen, and officers, who had opposed the parliament were obliged to submit to it, before they were admitted to composition. Notwithstanding all this severity, Dr. Calamy says, Mr. Baxter kept his people from taking the covenant, as fearing it might be a snare to their consciences; nay, he prevented its being much taken in the county he lived in, by keeping the ministers from offering it their people, except the city of Worcester, where he had no great interest.*

The king could not be unacquainted with these proceedings, for the covenant lay before the parliament and assembly almost a month, during which time his majesty took no public notice of it; but a fortnight after it had been subscribed by both houses, and by all the clergy and laity within the bills of mortality, he issued out the following proclamation, dated from Oxford, October 9, in the nineteenth year of his reign.

"By the King.

"Whereas there is a printed paper, entitled, A solemn league and covenant, for reformation and defence of religion, &c. pretended to be printed by order of the house of commons, September 21, which covenant, though it seems to make specious expressions of piety and religion, is in truth nothing else but a traitorous and seditious combination against us and the established religion and laws of this kingdom, in pursuance of a traitorous design and endeavour to bring in foreign force to invade this kingdom! we do therefore straitly charge and command all our loving subjects, of what degree or quality soever, upon their allegiance, that they presume not to take the said seditious and traitorous covenant. And we do likewise hereby farther inhibit and forbid all our subjects to impose, administer, or tender, the said covenant, as they, and every one of them, will answer the contrary at their utmost and extremest perils."†

His majesty sent the like declaration into Scotland, to which the states of that kingdom paid no farther regard, than to send him the reasons of their conduct, with their advice to his majesty to take the covenant himself.

Great complaints have been made, and not without reason, of the execution this test did upon the king's clergy through-

* Abridgment, p. 104. † Rushworth, vol. 5. p. 482.

out the kingdom. It was a new weapon put into the hands of the committees, which enabled them with more ease and certainty to detect malignant or disaffected ministers; for instead of producing a number of witnesses, as had been the method hitherto, they now tendered the covenant, which the others refusing, gave occasion to the general report, that the clergy were turned out of their livings only for refusing the covenant, whereas their sequestration was grounded upon other causes: or at least the articles of immorality or disaffection to the parliament were almost always joined with it. When the covenant passed through the parliament-quarters, in some towns it was neglected, in others the incumbent avoided it, by withdrawing for a few weeks, and getting another to officiate. Some who refused were displaced, and the names of those who absented were returned to the parliament, but little or nothing came of it. The writer of the life of bishop Saunderson says that in the associated counties of Cambridgeshire, &c. all were ejected who refused the covenant, that is, all to whom it was tendered; for though it was pressed pretty closely in some places notorious for disaffection, in others, that had been quiet, it was little regarded. The earl of Manchester had particular instructions to tender the covenant to the Cambridge scholars, and yet the commissioners imposed it only upon such who had adhered to the king, or of whose disaffection they had sufficient evidence, several who behaved peaceably being permitted to keep their places, who would certainly have refused it. It has been observed already, that Mr. Baxter prevented its being much taken in Worcestershire; and no doubt, there were men of moderation and influence who did the same in other counties. Those clergymen who had declared for the king were usually put to the trial; but reputed Calvinists, of sober lives, who had stood neuter, were frequently overlooked; so that the beneficed clergy suffered by the covenant, rather as parties in the war, than as friends of the hierarchy. However, it being a religious test, the imposing it was, in my opinion, unwarrantable, and a very great hardship, especially as it was for some time a door of entrance into ecclesiastical preferments, for such young divines as had no concern in the war. A test of a civil nature would have answered all the ends of civil government, without shackling the con-

sciences of men, which ought always to be left free, and open to conviction. But if the Puritan powers bore hard upon the loyalists, in imposing the covenant, the king's clergy were even with them at the Restoration, when they obliged them publicly to abjure it, or quit their preferments.

The necessity of the king's affairs having obliged him to arm the Papists, and commission the duke of Ormond to agree to a cessation of arms with the Irish Catholics, in order to draw off his forces from thence, his majesty fell under the suspicion of favouring that religion, especially when it appeared that not only the Protestant soldiers, but the Irish rebels, were transported with them. Mr. Whitelocke* says, several of their officers and soldiers came over with the king's army; that a month or two after, eight hundred native Irish rebels landed at Weymouth, under the lord Inchequin, and another party at Beaumaris, which committed great spoils, destroying with fire what they could not carry off. Another party landed near Chester under the earl of Cork, and fifteen hundred were cast away at sea: these wretches brought hither the same savage disposition which they had discovered in their own country; they plundered and killed people in cold blood, observing neither the rules of honour, nor the law of arms.† The Scotch forces, in the north of Ireland, entered into a confederacy to stand by each other against the cessation; the parliament of England protested against it, and published a declaration informing the world, that his majesty had broke through his royal promise, of leaving the Irish war to them; they forbade all masters of ships to bring over any officers or soldiers, on penalty of the forfeiture of their vessels, and gave letters of marque to merchants and others, who would fit out ships at their own expense, em-

* P. 75, 76. 78, 79. Rapin, vol. 2. p. 486, folio. Clarendon, vol. 2. part 1. p. 439.

† Dr. Grey contrasts this charge against the Irish rebels with instances of the conduct of the English adherents to the parliament. He brings forward with this view the murder of Dr. Walter Raleigh, dean of Windsor, by the man to whose custody he was committed; and of colonel Bulkley, by major Cheadle: the perpetrators in each case were acquitted. The doctor also refers to the petition of the Irish Catholics to the king in 1642, complaining of the violences and cruelties of which they were the objects. It is sufficient to observe, that the cruelty of one party does not exculpate the other. On which ever side acts of injustice and cruelty are committed, humanity will lament it, and equity will reprobate it. Such is the nature of war, such is the envenomed spirit that irritates civil contests, each party is, generally, very guilty; and it may not be often easy to ascertain the proportion of guilt.—Ed.

powering them to take to their own profit all such ships and goods as they should meet coming over with soldiers or warlike stores for the king. Next year an ordinance was published, that no quarter should be given to any Irish Papist taken in arms against the parliament; all officers were to except them out of their capitulations, and upon making them prisoners, were immediately to put them to death.

This unhappy management of the king alienated the affections of great numbers of his friends who had the Protestant religion at heart; many who wished well to his person deserted him upon this occasion, and made their peace with the parliament, as the earls of Holland, Bedford, Clare, Carlisle, sir Edward Deering, and others; this last gentleman published the reasons of his conduct to the world, the principal of which were, the Irish cessation; his majesty preferring Popish officers to chief places of trust and honour; and the language of the Oxford clergy and others, that the king should come no other way to his palace but by conquest.* There was certainly a very malignant spirit among those gentlemen at this time, as appears by their form of thanksgiving, or rather imprecation, for the taking of Bristol, and the success of the earl of Newcastle's army in the north: "O Lord (say they), though our sins cry aloud, hear them not, but look to the righteousness of our cause; see the seamless coat of thy Son torn; the throne of thine Anointed trampled upon; thy church invaded by sacrilege, and thy people miserably deceived by lies; see it, O God, as see it thou dost, and vindicate what thou seest on the heads of those who lead these wretches." Many of the earl of Newcastle's soldiers in the north, upon news of the Irish cessation, threw down their arms, and offered a composition; and if we may believe the Parliamentary Chronicle,† this single action lost the king all the northern counties. To put a stop to the clamours of the people, and prevent any farther desertions, his majesty resolved to support his own character as a Protestant, and accordingly made the following protestation in presence of the congregation at Christchurch, Oxford, immediately before his receiving the sacrament from the hands of archbishop Usher.

* Rushworth, vol. 5. p. 383. † Part 3. p. 86.

"My Lord,

"I espy here many resolved Protestants, who may declare to the world the declaration I do now make. I have, to the utmost of my power, prepared my soul to be a worthy receiver, and may I so receive comfort from the blessed sacrament, as I do intend the establishment of the true reformed Protestant religion, as it stood in its beauty in the happy days of queen Elizabeth, without any connivance at Popery. I bless God that, in the midst of these public distractions, I have still liberty to communicate. And may this sacrament be my damnation, if my heart do not join with my lips in this protestation."*

How consonant was this with his majesty's actions, when within a few days he agreed to a cessation with the Irish Papists for a year, and a toleration of their religion! All men knew, that his majesty not only connived at Popery, but indulged it as far as was in his power; historians therefore are at a loss to reconcile this solemn appeal to heaven, with the king's piety and sincerity. The parliament was so apprehensive of the consequences of bringing over the Irish Papists, that by an order of November 22, they desired the assembly of divines to write letters to the foreign churches of Holland, France, and Switzerland, and other places, to inform them of the artifices of his majesty's agents; of the constant employment of Irish rebels, and other Papists, to be governors, commanders, and soldiers, in his armies; of the many evidences of their intentions to introduce Popery; to hinder the intended reformation, and to condemn other Protestant churches as unsound because not prelatical; and that the Scots commissioners be desired to join with them. In pursuance of this order, the assembly wrote the following letter, dated November 30, 1643:—

"To the Belgic, French, Helvetian, and other reformed churches.

"Right reverend and dearly beloved in our Lord Jesus Christ,

"We the assembly of divines, and others, convened by the authority of both houses of parliament, with the commissioners from the general assembly of the church of Scotland, do heartily salute you in the Lord. We doubt not,

* Rushworth, p. 346. Rapin, vol. 2. p. 490, folio.

but the sad reports of the miseries under which the church and kingdom of England do bleed, and wherewith we are ready to be swallowed up, is long since come to your ears; and it is probable, the same instruments of Satan and antichrist have, by their emissaries, endeavoured to represent us as black as may be among yourselves.*—And we sometimes doubt whether we have not been wanting to our own innocence, and your satisfaction, in being thus long silent; but pardon us, dear brethren, if this cup of trembling wherewith our spirits have been filled to amazement, and our wrestling with extreme difficulties ever since our meeting, has hindered from that which was our duty; and give us leave now a little to ease our grief, while we relate the desolation made by the antichristian faction, who are for hindering the work of reformation, and for introducing and cherishing Popery; and are now arrived to that strength, that if the Lord do not speedily help us, we shall be altogether laid waste by them.

"How great a hand they [the prelates] have had, in the miseries of other reformed churches, in the destruction of the Palatinate, in the loss of Rochelle, are so fully known and felt by you all, that we need not speak any thing of them. And we suppose their inveterate hatred against you all is sufficiently manifest, in that multitudes of them have refused to acknowledge any of you for churches of Christ because you are not prelatical, and thereby, as they conceive, want a lawful vocation of ministers. Sure we are, that among ourselves, scarce one thing can be thought of which may be supposed an argument of their design to advance Popery, that has not been attempted. The laws against Popery have been suspended; judges forbid to proceed against condemned priests; Jesuits set free; houses of superstition in Ireland and England have been set up and not discountenanced; notorious Papists harboured about the court and preferred; many released from legal penalties, and their prosecutors discountenanced; agents have been sent into Italy, and nuncios from Rome received, while the most zealous Protestants have been persecuted; many prelates and clergymen have publicly preached, and endeavoured to leaven the people with all points of Popery, except the supremacy, and introduced abundance of corrupt

* Rushworth, p. 371.

innovations into the worship of God; for noncompliance with which many have been forced to fly for refuge to the remote parts of the world.

"They imposed upon the kingdom of Scotland a new Popish service-book and canons, to which, when that nation would not submit, they prevailed with his majesty to proclaim them rebels, and raise an army against them, to which all the Papists, and those who were popishly affected, contributed; and had not the Lord, by his blessing on the Scots arms, and by the calling of this parliament, prevented it, the two nations had been imbruing their hands in each other's blood.

"But though we hoped through the goodness of God, and his blessing upon this parliament, whose hearts were inclined to a more perfect reformation, that our winter had been past, yet, alas! we find it to be quite otherwise. We know our sins have deserved all, and if we die and perish, the Lord is righteous; to his hand we submit, and to him alone we look for healing. The same antichristian faction not being discouraged, by their want of success in Scotland, have stirred up a bloody rebellion in Ireland, wherein above one hundred thousand Protestants have been destroyed in one province, within a few months. They have alienated the heart of his majesty from his parliament, and prevailed with him to withdraw and raise an army, which at first pretended only to be made up of Protestants—but soon after Papists were armed by commission from the king; many great Papists were put into places of public command, and the body of all the Papists have joined his majesty with all their might; they profess and exercise their religion publicly in several parts of the kingdom, and go up and down plundering, murdering, and spoiling of their goods, all such as adhere to the parliament, and to the cause of religion. Nor has the parliament been able, by their petitions and remonstrances, to recover his majesty out of their hands, or bring these men to deserved punishment, but the sword rages almost in every corner of this woful land.

"And to complete our miseries, they have prevailed with his majesty so far to own the rebels in Ireland, as not only to call them his Roman-Catholic subjects now in arms, but to grant them a cessation of arms for a year, and to hold

what they have gotten, with liberty to strengthen themselves with men, money, arms, ammunition, &c. whereby they are enabled not only to destroy the remnant of Protestants in Ireland, but to come over hither (as many of them are already) to act the same butchery upon us.

"In the midst of these troublesome times the two houses of parliament have called this assembly, to give them our best counsel for the reformation of the church, requiring us to make God's word only our rule, and to endeavour the nearest conformity to the best reformed churches, and uniformity to all the churches of the three kingdoms.

"The church and kingdom of Scotland have made offer of their humble mediation to the king for a pacification, which being rejected both nations have entered into a mutual league and covenant; and the Scots have resolved to join in arms with their brethren in England, for their mutual preservation from the common enemy, and so far as in them lieth for the safety of their native king. They have also sent their commissioners hither, for uniformity of religion in the churches of both kingdoms.

"And we their commissioners do exceedingly rejoice, to behold the foundation of the house of God, not only in doctrine, but in church-government, laid before our eyes in a reverend assembly of so wise, learned, and godly divines. And we find ourselves bound in all Christian duty, as well as by our late covenant, to join in representing to the reformed churches abroad, the true condition of affairs here, against all mistakes and misinformations.

"And now, dear brethren, we beg of you, first, to judge aright of our innocence and integrity in this our just defence; if our enemies say, that we are risen up in rebellion to deprive the king of his just power and greatness, and to bring anarchy and confusion into the church of Christ, we doubt not but our solemn covenant (a copy of which we humbly present you herewith) will sufficiently clear us. Let the righteous Lord judge between us, whom we implore to help us no farther than we can plead these things in sincerity.

"Secondly, That you would sympathize with us as brethren, who suffer in and for the same cause wherein yourselves have been oppressed.

Thirdly, "That you would conceive of our condition as

your own common cause, which, if it be lost with us, yourselves are not like long to escape, the quarrel being not so much against men's persons, as against the power of godliness, and the purity of God's word. The way and manner of your owning us we leave to yourselves, only we importunately crave your fervent prayers, both public and private, that God would bring salvation to us; that the blessings of truth and peace may rest upon us; that these three nations may be joined as one stick in the hands of the Lord; and that we ourselves, contemptible builders, called to repair the house of God, in a troublesome time, may see the pattern of this house, and commend such a platform to our Zerubbabels as may be most agreeable to his sacred word, nearest in conformity to the best reformed churches, and to establish uniformity among ourselves; that all mountains may become plains before them and us; that then all who now see the plummet in our hands, may also behold the top-stone set upon the head of the Lord's house among us, and may help us with shouting to cry, Grace, grace, to it.

"Thus much we have been commanded to inform you of, reverend brethren (and by you all faithful Christians under your charge), by the honourable house of commons, in whose name, and in our own, we bid you heartily farewell in the Lord.

"Your most affectionately devoted brethren in Christ,
William Twisse, *prolocutor.*
Cornelius Burges, John White, *assessors.*
Henry Roborough, Adoniram Byfield, *scribes.*
John Maitland, A. Johnston, Alexander Henderson, Samuel Rutherford, Robert Bailie, George Gillespie, *commissioners of the church of Scotland.*"

The inscription was, "To the reverend and learned pastors and elders of the classes and churches of the province of Zealand, our much honoured brethren."

Letters of the same import were sent to the several churches of the Seven Provinces; to the churches of Geneva; the Protestant cantons of Switzerland; the churches of Hesse, Hanau, and Hainault; and to the Protestant congregation at Paris; all which were received with respect, and answered by the several classes.* But the churches of Bohemia, Transilvania, Poland, Silesia, and Austria, and

* History of the Stuarts, p. 232.

other cities and principalities of Germany, were not written to. The answer from the French church at Paris was read in the assembly the beginning of March; from Switzerland June 12, 1644; and from Geneva* at the same time; from the classes of Amsterdam and Guelderland June 29; and Mr. Whitelocke observes, that the Netherland divines expressed not only their approbation of the proceedings of the parliament and assembly touching the covenant, but desired to join with the two kingdoms therein.

The king, apprehending himself misrepresented to the foreign churches, in that part of the assembly's letter which insinuates a design to introduce Popery, and being advised to vindicate his character from that imputation, caused a manifesto to be drawn up in Latin and English, to all foreign Protestants; which, though not published till the beginning of next year, may be properly inserted in this place.

"Charles by the special providence of Almighty God, king of England, Scotland, France, and Ireland, defender of the faith, &c. to all those who profess the true reformed Protestant religion, of what nation, degree, or condition, soever they be, to whom this present declaration shall come greeting.

"Whereas we are given to understand, that many false rumours and scandalous letters are spread up and down among the reformed churches in foreign parts by the politic or rather the pernicious industry of some ill-affected persons, that we have an inclination to recede from that orthodox religion which we were born, baptized, and bred in, and which we have firmly professed and practised throughout the whole course of our life to this moment; and that we intend to give way to the introduction and public exercise of Popery again, in our dominions; which most detestable calumny being grounded upon no imaginable foundation, hath raised these horrid tumults, and more than barbarous wars, throughout this flourishing island, under pretence of a kind of reformation which is incompatible with the fundamental laws and government of this kingdom; we desire that the whole Christian world should rest assured, that we never entertained the least thought to attempt such

* "Diodati, the prince of divinity there (bishop Warburton says), returned a very temperate answer, no way inconsistent with the re-establishment of episcopacy." Ed.

a thing, or to depart a jot from that holy religion, which, when we received the crown and sceptre of this kingdom, we took a most solemn sacramental oath to profess and protect. Nor does our constant practice, and daily presence in the exercise of this religion, with so many asseverations at the head of our armies, and the public attestation of our barons with the circumspection used in the education of our royal offspring, besides divers other undeniable arguments, only demonstrate this, but also that happy alliance of marriage we contracted between our eldest daughter and the illustrious prince of Orange, most closely confirms the reality of our intentions herein; by which it appears, that our endeavours are not only to make a profession thereof in our own dominions, but to strengthen it abroad as much as lieth in our power.*

"This most holy religion of the Anglicane church, ordained by so many convocations of learned divines, confirmed by so many acts of parliament, and strengthened by so many royal proclamations, together with the ecclesiastical discipline and liturgy, which the most eminent Protestant authors, as well as Germans, French, Danes and Swedes, Dutch and Bohemians, do with many eulogies, and not without a kind of envy, approve and applaud in their public writings, particularly in the transactions of the synod of Dort, wherein (besides others of our divines who were afterward prelates) one of our bishops assisted, to whose dignity all due respect and precedency were given; this religion, we say, which our royal father, of blessed memory, doth publicly assert in his famous confession addressed to all Christian princes, with the hierarchy and liturgy thereof, we solemnly protest, that by the help of God, we will endeavour to our utmost power, and last period of our life, to keep entire and inviolable; and will be careful, according to our duty to heaven, and the tenor of our oath at our coronation, that all our ecclesiastics, in their several degrees and incumbencies, shall preach and practise. Wherefore we command all our ministers of state beyond the seas, as well ambassadors as residents, agents, and messengers; and we desire all the rest of our loving subjects that sojourn in foreign parts, to communicate and assert this our solemn

* Rushworth, vol. 5. p. 752.

and sincere protestation, when opportunity of time and place shall be offered.

"Given in our university and city of Oxford,
"May 14, 1644."

This declaration did the king little service among foreign Protestants, for though it assured them his majesty would not turn Papist, it convinced them that no alteration in the English hierarchy was to be expected. His marrying his daughter to the prince of Orange was perhaps the only evidence of his charity for the Dutch reformation; but his appeal to the education of his children was trifling, when all the world knew they were under Popish instructors, in pursuance of a marriage-contract, till twelve or fourteen years of age, and had received impressions not to be easily defaced. His insinuating to the foreign churches, that their most learned divines preferred the English hierarchy to the government of their own countries, convinced them they ought to be more sparing of their compliments for the future, to persons who would draw such conclusions from them. As to the synod of Dort, no precedency was given to the bishop on account of his episcopal character, but as a baron of the English parliament.* Nor is there any thing in the declaration that might encourage the foreign clergy to hope his majesty would own their churches, ministers, or sacraments, or unite with them against the common enemy of the reformation, any more than before these unhappy troubles began.

All the episcopal divines left the assembly before the bringing in of the covenant, except Dr. Featly, who was expelled for holding correspondence with archbishop Usher at Oxford, and for revealing their proceedings, contrary to

* Dr. Grey will have it, that the contrary was the fact; and quotes bishop Carleton. But the quotation goes to prove no more, than that the foreign divines, at the synod, in their conversations with him, expressed their approbation of the episcopal government of the English church, and their wishes to have the same order established among themselves. But Mr. Neal's representation does not seem to be accurate. The case of precedency, according to Brandt, appears to have stood thus: when the synod met, the two commissioners of the States took place near the chimney on the right hand. The English divines sat on the left. An empty seat was kept for the French. The third place was appointed for the deputies of the Palatinate; and so on. Next to the commissioners on the right the professors of divinity took place, and then the ministers and elders of the country, according to the rank of each province. So that the precedency, which the English bishop had, naturally arose from his rank amongst the English divines; to whom in general was assigned the first seat on the left hand. History of the Reformation Abridged, vol. 2. p. 397.—Ed.

the express words of the ordinance, which obliges them "not to divulge by printing, or writing, or otherwise, their opinions or advices, touching the matters proposed to them by parliament, without the consent of both or either houses." The doctor was a learned man, and a Calvinist, upon which account the assembly paid him a high regard, and indulged him in all his speeches in favour of episcopacy, and against the covenant, some of which were afterward published to the world. They appointed him to answer a Popish pamphlet called the Safeguard; and he bore a part in the annotations on the Bible, which go under the name of the Assembly. Lord Clarendon says, the king sent him a letter forbidding him to sit any longer, but that the doctor excused it in a letter to archbishop Usher, which being intercepted, he was committed prisoner* to lord Peter's house in Aldersgate-street as a spy: the archbishop at the same time being declared incapable of sitting in the assembly for the like reason. And here was an end of all the public concern the episcopal party had in the government of the church till the Restoration.

From the time of taking the covenant, we may date the entire dissolution of the hierarchy, though it was not as yet abolished by an ordinance of parliament. There were no ecclesiastical courts, no visitations, no wearing the habits, no regard paid to the canons, or ceremonies, or even to the common prayer itself. The archbishop of Canterbury, by an ordinance of May 16, had been forbid to collate any benefices in his gift, but to persons nominated by parliament; for disobedience to which he was, by another ordinance of June 10, "suspended *ab officio et beneficio*, and from all archiepiscopal jurisdiction, till he should be acquitted, or convicted of the high treason of which he was impeached; and as to such livings, dignities, promotions, &c. in the said archbishop's gift or collation, as are, or shall hereafter, become void, institution or induction shall henceforward be given by the archbishop's vicar-general, or any other having authority on his behalf, upon the nomination and recommendation of both houses of parliament." By this extraordinary method the reverend Mr. Corbet was inducted into

* The imprisonment of Dr. Featly, Mr. Baxter observes, "much reflected on the parliament; because whatever the facts were, he was so learned a man, as was sufficient to dishonour those he suffered by." Baxter's Life and Times, p. 75.—Ed.

the living of Chatham, "ratione suspensionis dom. Guil. archiepiscopi Cant. et sequestrationis temporalium archiepiscopatus in manibus supremæ curiæ parliamenti, jam existentis," "by reason of the suspension of the archbishop of Canterbury, and the sequestration of the temporalities of his archbishopric into the hands of the present high court of parliament, the same belonging to their gift." But this ordinance was of no long continuance, for upon the sitting of the assembly of divines, all church-business went through their hands; the parishes elected their ministers, the assembly examined and approved of them, and the parliament confirmed them in their benefices without any regard to the archbishop or his vicar. Thus the earl of Manchester filled the vacant pulpits in the associated counties; and when lord Fairfax was authorized to supply those in the north, by an ordinance of February 27, the preamble says, "The houses being credibly informed that many ministers in the county of York were not only of a scandalous life, but having left their churches and cures, had withdrawn themselves wilfully from the same, and joined such forces as had been raised against the parliament, and assisted them with men, money, horses, and arms; therefore it is ordained, that lord Fairfax be authorized to fill up their places, with such learned and godly divines as he shall think fit, with advice of the assembly."*

This created a great deal of business; for though the assembly had not a parliamentary authority to ordain, yet the examination and approbation of such clergymen already in orders, as petitioned for sequestered livings, being by express order of the two houses referred to them, they were obliged to choose a select committee for this work; their names were,

Rev. Dr. Gouge.	Rev. Dr. Hoyle.	Rev. Mr. Gower.	Rev. Mr. Hall.
Dr. Stanton.	Dr. Burges.	Mr. Colman.	Mr. Whitaker.
Dr. Lightfoot.	Dr. Spurstow.	Mr. Hill.	Mr. Bathurst.
Dr. Smith.	Mr. Ley.	Mr. Corbet.	Mr. Cheynel.
Dr. Temple.	Mr. Reynolds.	Mr. Gataker.	
Dr. Tuckney.	Mr. Conant.	Mr. Heale.	

The method of examination was this; the names of the ministers who petitioned for livings, or were recommended by either house of parliament, being published in the assembly two or three days before the examination, liberty was

* Parliamentary Chronicle, part 4. p. 128.

given in that time to make exceptions to their characters; if nothing was objected they were examined by the committee, or any five of them, who reported their qualifications to the house, upon which each candidate received a certificate from the assembly to the following effect:

"According to an order bearing date——from the committee of the house of commons for plundered ministers, to the committee of divines for the examination of A. B. concerning his fitness to be admitted to the benefit of the sequestration of the church of———, in the county of———, and so to officiate in the cure thereof, these are to certify the said committee of plundered ministers, that upon examination of the said A. B. and some trial of his gifts and abilities, we conceive him fit to officiate in the cure of———, in the county aforesaid. In witness whereof we have hereunto subscribed our names."

The scribes of the assembly were ordered to keep a record of all orders and certificates concerning ministers recommended to sequestrators, and to enter them in a register-book. This continued for about a year, till the new directory and form of church-government took place.

Towards the latter end of this year died William Chillingworth, A. M. whom I mention not as a Puritan, but as a witness against some of those hardships the present dissenters complain of; he was born at Oxford 1602, and educated in Magdalen-college, of which he became fellow in June 1628. He afterward turned Roman Catholic, and went to the Jesuits' college at St. Omer's, where not being thoroughly satisfied in some of their principles he returned to England 1631, and having embraced the religion of the church of England, published an excellent treatise, entitled, "The religion of Protestants a safe way to salvation," for which he was preferred to the chancellorship of the church of Sarum, and made master of Wygston-hospital in Leicester. He was inserted in the list with other loyalists to be created D. D. in the year 1642, but came not thither to receive that honour. It was the general opinion of the times that he was a Socinian, but in his last letter at the end of his works, he appears an Arian. It is very certain he refused to subscribe the thirty-nine articles, for some years after his conversion, (1.) Because he did not believe the morality of the fourth commandment. (2.) Because he did not agree to

the damnatory clauses in the Athanasian creed, and therefore could not read the common prayer. He objected also to the twentieth article, "of the church's power to decree rites and ceremonies;" to the nineteenth article, "that works done before the grace of Christ, &c. are not pleasing to God;" and indeed, says the writer of his life, to the articles in general, as an imposition on men's consciences, much like the authority which the church of Rome assumes.*

Mr. Chillingworth blesses God, that when he had entertained some thoughts of subscription, two unexpected impediments diverted him from it; "for (says he) I profess since I entertained it I never enjoyed quiet day nor night, till now that I have rid myself of it again; and I plainly perceive, that if I had swallowed this pill, howsoever gilded over with glosses and reservations, and wrapped up in conserves of good intentions and purposes, yet it would never have agreed nor stayed with me, but I should have cast it up again, and with it whatsoever preferment I should have gained as the wages of unrighteousness; but now, I thank God, I am resolved, that I will never do that while I am living and in health, which I would not do if I was dying; and this I am sure I would not do, and therefore whenever I make such a preposterous choice, I will give you leave to believe, that I am out of my wits, or do not believe in God——."† Notwithstanding these resolutions, he was prevailed with to subscribe, by his godfather archbishop Laud, to qualify him for the above-mentioned preferments. How the pill was gilded over is not certain; the writer of his life says he subscribed as articles of peace not of belief. Mr. Chillingworth was a quick disputant, and of very high principles, for in one of his sermons before the king, he says, that "the most unjust and tyrannical violence of princes may not be rejected; this being unlawful, even though princes be most impious, tyrannical, and idolatrous." But though his political principles were high, he was low enough with regard to the authority of councils, fathers, and convocations, in matters of faith: adhering steadfastly to that celebrated declaration, "that the Bible alone is the religion of a Protestant." He was an excellent mathematician, and served as engineer in Arundel-castle in Sussex, in which he was taken prisoner, and when indisposed had the favour of being lodged in the

* Chillingworth's Life, p. 273. † Ibid. p. 79.

bishop's house at Chichester, where he died January 20, 1643—4. It is surprising, that lord Clarendon should say, "The parliament-clergy prosecuted him with all the inhumanity imaginable, so that by their barbarous usage he died within a few days;"* when, as he himself acknowledged, he wanted for nothing; and by the interest of Dr. Cheynel, who attended him in his sickness, was courteously used.† The doctor would have reasoned him out of some of his principles, but could not prevail, and therefore at his interment, after a reflecting speech upon his character, threw his book, entitled "The religion of Protestants a safe way to salvation," into the grave, saying, "Get thee gone, thou cursed book, which has seduced so many precious souls; earth to earth, dust to dust; get thee into the place of rottenness, that thou mayest rot with thy author, and see corruption." A most unchristian and uncharitable imprecation!

Among the considerable statesmen who died this year, may be justly reckoned John Hampden, esq. of Buckinghamshire, a gentleman of good extraction, and one of the greatest pariots of his age, as appears by his standing trial with the king in the case of ship-money, which raised his reputation to a very great height throughout the kingdom. He

* Chillingworth's Life, p. 314. 325.

† Dr. Cheynel's kindness extended to the procuring a commodious lodging for Mr. Chillingworth; to engaging the physician, as his symptoms grew worse, to renew his visits; and to securing for him the rites of burial, which some would have denied him. Yet he held the opinions of Mr. Chillingworth in the greatest detestation, and treated his name and memory with virulence and asperity, as appears from the above speech at the interment of this great man, and by a pamphlet he published, entitled, "Chillingworthi Novissima; or the sickness, heresy, death, and burial, of William Chillingworth," &c. which bishop Warburton calls "a villanous book;" and tells us, that "Mr. Locke speaks of it in the harshest terms, but not more severely than it deserves." The fact is, as bishop Hoadley states it, Dr. Cheynel was a *rigid* zealous Presbyterian; exactly orthodox; very unwilling that any should be supposed to go to heaven but in the right way. And this was that one way, in which he himself was settled; and in which he seems to be as sincere, and honest, and charitable, as his bigotry and his cramped notions of God's *peculium* could permit him to be." Years after *this* Dr. Snape, a clergyman of name in the church of England, displayed the like temper and spirit to Dr. Cheynel, in the Bangorian controversy; which I mention to introduce bishop Hoadley's excellent conclusion from both these instances of bigotry; namely, "that an *intemperate* heat scorches up charity in one church, as well as in another; and every where equally lays waste the most amiable duties of Christianity: and that men of the most opposite persuasions, agreeing in the same narrowness of principles and notions of zeal, though differing from one another in many particulars, even to a degree of mutual destruction, can kindly and lovingly unite in condemning the best principles of all religion as subtle atheism, or indifference, or infidelity; and in declaring them to be the principles of all irreligion, when their several schemes and systems are likely to suffer from them." So the sentiments on toleration, charity, and free inquiry, as they were defended by Chillingworth and by Hoadley's friend, were condemned by Cheynel and Snape. Hoadley's works, vol. 2. p. 622. folio; and Palmer's Nonconformists' Memorial, vol. 2. p. 466.—Ed.

was not a man of many words, but a very weighty speaker; his reputation for integrity universal, and his affections so publicly guided, that no corrupt or private ends could bias them. He was indeed a very wise man, of great parts and modesty, and possessed of the most absolute spirit of popularity, says lord Clarendon, I ever knew. He was one of the impeached members of the house of commons, and in the beginning of the war took the command of a regiment, and performed the duty of a colonel on all occasions punctually, being a man of great personal courage, not to be tired out by the most laborious, and of parts not to be imposed upon by the most subtle, but because he fought against the court, lord Clarendon says (if this be not an interpolation of the editors) that he had a head to contrive, a tongue to persuade, and a hand to execute, any mischief.* Which is very unaccountable in one whom his lordship had commended as a person not only of cheerfulness and affability, but of extraordinary sobriety and strictness of life. Mr Hampden was certainly in all respects one of the greatest and best men of his age, and the parliament sustained an irreparable loss in his death, which happened June 24, about a week after his shoulder-bone had been broken by a musket-ball, in a skirmish with prince Rupert's forces in Calgrave-field.

John Pym, esq. member for Tavistock in all the parliaments of king Charles I. was a man of the greatest experience in parliamentary affairs of any man of his time. He was an admirable speaker, and by the gravity of his countenance and graceful behaviour, could turn the house which

* Oldmixon's History of the Stuarts, p. 227.

Dr. Grey endeavours to establish the authenticity of this passage by a large quotation from the Weekly Miscellany, by Richard Hooker, of the Temple, esq.—To Mr. Neal's account of Hampden it may be added, that he was born in the year 1594, and died the 24th of June 1643, leaving ten children behind him. The parliament, as a testimony of his service to the public, ordered the sum of 5,000*l.* to be paid to his assignees out of the excise. Mr. Baxter has placed him with the saints in heaven (Everlasting Rest, p. 82, 83); and lord Cobham with the worthies in his elysium at Stow. Under his bust is this inscription:

"JOHN HAMPDEN,

"Who with great spirit, and consummate abilities, began an opposition to an arbitrary court, in defence of the liberties of his country; supported them in parliament, and died for them in the field."

He argued the case of ship-money with the judges for twelve days together, in the exchequer-chamber; and "had more reason to triumph (says Mr. Granger), from his superiority in the argument, than the crown had for its victory in the cause." Biographical History of England, vol. 2. p. 212, 8vo. and Mrs. Macaulay's History, 8vo. vol. 3. p. 432, 435, note, in which work the character of this great man is fully delineated.—Ed.

way he pleased; he was a man of business and for moderate measures, according to lord Clarendon, till the king impeached him of high treason. In his private life he was eminent for true piety and exactness of manners; and though inclined to the Puritan party, not averse to the hierarchy with some emendations. He was one of the lay-members of the assembly of divines, and at the head of all public business, the fatigue of which wore out his constitution, and put an end to his life, December 8, 1643, in the sixtieth year of his age. The news of no man's death was more welcome to the royalists than his, who spread a report, that he died of the *morbus pediculosus*;* to confute which aspersion, his body was exposed to public view for many days, and at last interred in the most honourable manner in Westminster-abbey. A little before his death, he published his own vindication to the world, against the many slanders that went abroad concerning him, wherein "he declares himself a faithful son of the Protestant religion, and of the orthodox doctrine of the church of England. He confesses he had been for reforming abuses in the government of the church, when the bishops, instead of taking care of men's souls, were banishing their bodies into the most desolate places; bringing in new canons, Arminian and Pelagian errors, and such a number of rites and ceremonies as the people were not able to bear.—When since that time they had, as much as in them lay, fomented the civil differences between the king and his parliament, abetting and encouraging malignants with large supplies of men and money, and stirring up the people to tumults by their seditious sermons. For these reasons (says he) I gave my opinion for abolishing their functions, which, I conceive, may as well be done as the dissolution of monas-

* Dr. Grey has the candour to discredit this report; and says, from the funeral sermon for Mr. Pym by Mr. Marshal, that it was confuted by the testimony of near a thousand people who saw the corpse, and of eight physicians who were present at the opening of the body. The doctor repeats, from Clarendon, the calumnies of those who accused him of raising considerable sums by dishonest practices, of corrupting witnesses, and selling his protection for bribes; though he was exculpated before the tribunal of parliament, vindicated his conduct by his own pen, and left his private fortune at so low an ebb, that the parliament expended a considerable sum in the payment of his debts; an evidence sufficient of itself to confute his enemies. Mr. Pym was called, in early life, *Phœbi deliciæ, lepos puellæ*. He was commonly called "king Pym;" and from his experience in the forms of parliament, his knowledge of the law and constitution, his powers of argument and elocution, and his known honesty and integrity, he enjoyed an unrivalled authority in the lower house. Mrs Macaulay, vol. 4. p. 92, 93; and Granger's Biographical History, vol. 2. p. 211.—Ed.

teries, monks, and friars, was, in king Henry the Eighth's time. He concludes with declaring, that he was not the author of the present distractions; with acknowledging the king for his lawful sovereign, but thinks, when he was proscribed for a traitor, merely for the service of his country, no man can blame him for taking care of his own safety, by flying for refuge to the protection of parliament, who were pleased to make his case their own."

CHAP. III.

THE OXFORD PARLIAMENT. PROGRESS OF THE WAR. VISITATION OF THE UNIVERSITY OF CAMBRIDGE BY THE EARL OF MANCHESTER. COMMITTEES FOR PLUNDERED, SEQUESTERED, AND SCANDALOUS MINISTERS.

THE campaign being ended without any prospect of peace, both parties endeavoured to strengthen themselves by new and sovereign acts of power. The parliament experiencing the want of a great seal, for many purposes, gave orders that one should be made.* They continued to list soldiers, to levy taxes, and to use every method to support their cause,† which their policy suggested, and their necessity urged. On the other hand, the king raised contributions without form of law;‡ ordered the removal of the courts of justice from Westminster; and that he might seem to act in a parliamentary way, summoned the members who had been expelled the houses, and all others willing to withdraw from the rebellious city of London, to meet him at Oxford,§

* Rushworth, vol. 5. p. 560.

† "What was all this (says Dr. Grey) but high treason?" To confirm his opinion he refers to Dr. Wood's Institute of the Laws of England, and to the 25th of Edw. III. cap. 2, as authorities to shew, that the acts of the parliament were acts of treason. As if laws formed to preserve the allegiance of the subject to a king acting constitutionally and fulfilling faithfully his part of the political contract, applied to extraordinary emergencies and to a sovereign who had violated the constitution. As if laws made to restrain individuals bound the majority of the representative body of the nation. See also Rapin, vol. 2. p. 494, folio.—ED.

‡ "And pray (asks Dr. Grey), what form of law had the rebels for raising contributions?" That form of law, our readers will probably reply, and that spirit of the constitution, which invest the representatives of the people with the power and right of appointing the taxes.—ED.

§ The impolicy of this step is forcibly, though somewhat jocularly, represented by Mr. Selden: "The king calling his friends from the parliament (said this great man),

January 22, 1643—4, which was, in effect, disannulling the act for continuing of the present parliament. In obedience to the proclamation, there appeared forty-nine peers, and one hundred forty-one of the house of commons, not reckoning those employed in his majesty's service, or absent with leave. Lord Clarendon says,* the appearance of both houses with the king was superior in number, as well as quality, to those at Westminster; which must be a mistake; for though the majority of peers were on that side, Mr. Whitelocke† assures us, that upon a call of the house of commons, the very day the others were to meet at Oxford, there were present two hundred and eighty members, not reckoning one hundred more, who were engaged in their service in the several counties. This is a very considerable majority; though if there had been only forty, the king could not have prorogued or dissolved them, without their own consent. However, the Oxford members styled themselves the parliament, lord Littleton being speaker for the peers, and serjeant Evers for the commons.‡ Their first step was to satisfy the world they desired peace, such a peace, to use the king's own words,§ "wherein God's true religion may be secured from the danger of Popery, sectaries, and innovations: the crown may possess those just prerogatives, which may enable me to govern my people according to law, and the subjects be confirmed in those rights which I have granted them in parliament, to which I shall be ready to add such new graces as I shall find may most conduce to their happiness." They laid an excise upon tobacco, wine, strong waters, ale, cider, grocery and mercery wares, soap, salt, and butcher's meat, and subscribed considerable sums of money for support of the war; they declared the Scots then entering England with an army, traitors—and the lords and commons at Westminster, guilty of high treason, for inviting them, as well as for counterfeiting

because he had use of them at Oxford, is as if a man should have use of a little piece of wood, and he runs down into the cellar, and takes the spigot: in the meantime all the beer runs about the house: when his friends are absent the king will be lost." Table-talk on the word King.—Ed.

* Clarendon's Remains, p. 165. † Memoirs, p. 76.

‡ Rushworth, p. 567. 688. Rapin, p. 496. 502, folio. Oldmixon's History of the Stuarts, p. 246.

§ On another occasion, in his speech to the inhabitants of Somersetshire, July 13, 1644.—Ed.

the great seal. On the other hand, the parliament at Westminster would not acknowledge the Oxford members, or receive a message from them under the character of a parliament, but expelled them their house, except they returned to their seats within a limited time.* April 16, 1644, the king prorogued his Oxford members to November following, when they fell under his displeasure, for advising to pacific measures at the treaty of Uxbridge, which was then upon the carpet, and in a fair way of producing an accommodation. This was so disagreeable to the queen and her Roman-Catholic counsellors, that they never left off teazing the unhappy king, till he had dismissed them, and broke off the treaty; an account of which he sent her in the following letter, which seems to breathe an air of too great satisfaction.

"Dear heart,

"What I told thee last week, concerning a good parting with our lords and commons here, was on Monday last handsomely performed; now if I do any thing unhandsome, or disadvantageous to myself or friends, in order to a treaty, it will be merely my own fault.—Now I promise thee, if the treaty be renewed (which I believe it will not) without some eminent good success on my side, it shall be to my honour and advantage, I being now as well free from the place of base and mutinous motion† (that is to say, our mungrel parliament here) as of the chief causers, for whom I may justly expect to be chidden by thee, for having suffered thee to be vexed by them—"‡

Mr. Whitelocke says, this assembly sat again at Oxford in the year 1645, and voted against the directory, and for the common prayer; but the king's cause being grown desperate, they soon after shifted for themselves, and made their peace at Westminster, upon the best terms they could obtain.

On the 19th of January 1643—4, the Scots army, consist-

* Rushworth, vol. 5. p. 383. Rapin, vol. 2. p. 497. 506, folio.

† "There is no circumstance (observes bishop Warburton) that bears harder on the king's conduct than this. It is not to be conceived that these men, who hazarded all to support the king's right, could advise him to any thing base in a mutinous manner. I doubt that this is too strong a proof that nothing less than arbitrary government would heartily satisfy him."—Ed.

‡ Rapin, p. 512, folio.

ing of twenty-one thousand men, under the command of general Leven, crossed the Tweed at Berwick, and entered England. The two houses sent a committee to meet them, which being joined by another of that nation, was called the committee of both kingdoms,* and were a sort of camp parliament, to direct the motions of the army, which after some time united with the lord Fairfax's forces, and with those under the command of the earl of Manchester, and lieutenant-general Cromwell, from the associated counties. The united armies laid siege to the city of York, which prince Rupert having relieved, occasioned the battle of Marston-moor, wherein the prince was routed, with the loss of three thousand men and his whole train of artillery; and thereupon the marquis of Newcastle, leaving the royal army, embarked with divers lords and gentlemen for Hamburgh, prince Rupert retiring towards Chester, and deserting all the northern garrisons to the mercy of the enemy, which falling into their hands next summer, concluded the war in those parts.

His majesty however had better success in the west, where being strengthened by prince Maurice, he followed the earl of Essex, and shut up his army within the narrow parts of Cornwall, so that he could neither engage or retreat.† Here the king invited the earl to make his peace, but he choosing rather to retire in a boat to Plymouth, left his men to the fortune of war. As soon as the general was gone, the horse under the command of sir William Balfour bravely forced their way through the royal quarters by night; but the foot, under the command of major-general Skippon, were obliged to surrender their arms, artillery, ammunition, and baggage, consisting of forty brass cannon, two hundred barrels of powder, match and ball proportionable, seven hundred carriages, and between eight and nine hundred arms, and to swear not to bear arms against the king, till they came into Hampshire. This was the greatest disgrace the parliament's forces underwent in the course of the war, the foot being forced to travel in a naked and starving condition to Portsmouth, where they were supplied with new clothes and arms. And now again, the king made offers of such a peace as, he says, he had been labouring for,

* Rushworth, vol. 6. p. 603.

† Ibid. vol. 5. p. 691. 701. 705. 710.

that is, to be restored to his prerogatives as before the war; but the houses would not submit.

Upon the defeat of the earl of Essex, his majesty resolved to march directly for London, and upon the road issued a proclamation, September 30, 1644, requiring all his loving subjects to appear in arms, and accompany him in his present expedition.* This gave rise to a combination of men, distinguished by the name of Club-men, who associated in Worcestershire and Dorsetshire, agreeing to defend themselves against the orders both of king and parliament. Their increase was owing to the prodigious ravages of the king's forces in their march. Prince Rupert was a fiery youth, and with his flying squadrons of horse, burnt towns and villages, destroying the countries where he came, and indulging his soldiers in plunder and blood. In Wales he drove away the people's cattle, rifled their houses, and spoiled their standing corn. Aged and unarmed people were stripped naked, some murdered in cool blood, and others half hanged, and burnt, and yet suffered to live.† "Lord Goring, the king's general of the horse, was one of the most finished debauchees of the age, and wanted nothing but industry to make him as eminent and successful in the highest attempts of wickedness as ever any man was. Wilmot, the lieutenant-general, was as great a debauchee as the other, and had no more regard to his promises, or any rules of honour and integrity."‡ Sir Richard Grenville, who com-

* Rapin, vol. 2. p. 504, folio. † Whitelocke, p. 62. 87. 103.

† The reference here, in the former editions of Mr. Neal, is to p. 87 of Whitelocke's Memoirs; where all that is said concerning prince Rupert is, "that he took in Liverpool a garrison of the parliament's in Lancashire, but they first shipped all their arms, ammunition, and portable goods, and most of the officers and soldiers went on ship-board, whilst a few made good the fort, which they rendered to the prince upon quarter, yet were all put to the sword. This indeed (says Dr. Grey) was bad enough, but not quite so bad as Mr. Neal has represented it. Not one word of stripping aged and unarmed people naked, or murdering people in cold blood, or of half hanging or burning others. A dismal character of prince Rupert this indeed, had we not reason to call the truth of it in question." The references, which we have now supplied, will shew that the truth of this character ought not to have been questioned, and that it was drawn from facts stated by Mr. Whitelocke. From whom we will give another instance of the severity with which prince Rupert, at the commencement of his military career, pursued his conquests, and of the cruelty of the royal party from the beginning, before mutual provocations had inflamed their passions; or they had been familiarized to scenes of blood. When the prince had taken the magazine of the county at Cirencester, and one thousand one hundred prisoners, he sent these captives, tied together with cords, almost naked, beaten as driven along like dogs, in triumph to Oxford; where the king and the lords looked on them, and too many smiled at their misery. Memoirs, p. 64.—Ed.

‡ The reader will be surprised, when he is told, that Dr. Grey discredits this character of the lieutenant-general Wilmot, though it is given from lord Clarendon, and

manded the army before Plymouth, is represented by the noble historian, as having been exceeding barbarous and cruel in Ireland, hanging up old men and women of quality, even though they were bed-rid, if he did not find the plunder he expected; when he came into the west, he exercised all kinds of cruelty, and would sometimes make one of the company hang all the rest, contrary to the law of arms.*

The licentiousness of the king's soldiers, was not inferior to that of their officers; for having no regular pay, they committed rapines and plunders, without distinction of friends or foes; and were infamous for the most execrable oaths, and all kinds of impiety. "Lord Goring's horse (says the noble historian) committed horrid outrages and barbarities in Hampshire, and infested the borders of Dorsetshire, Somersetshire, and Devon, with unheard-of rapines, so that the people who were well devoted to the king, wished for the accession of any force to redeem them."† They raised vast contributions in several counties, without any other pretence but the king's sovereign pleasure. In Cornwall they levied 700*l.* a week; in Devonshire 2,200*l.* a week, and proportionable in other parts.‡ As the army marched along the country, they seized the farmers' horses, and carried them away without any consideration. At Barnstable they plundered the town and hanged the mayor, though it was surrendered upon articles. At Evesham the king sent the mayor and aldermen prisoners to Oxford. At Woodhouse in Devonshire, they seized fourteen substantial west-country clothiers, who were not in arms, and hanged them, by way of reprisal for some Irish rebels, that had been executed according to the ordinance of parliament. In short,

opposes to it a narrative of his lordship,¶ in which he relates, that Wilmot, when he was before Marlborough, gave not only his life, but his liberty, to a spy whom he had apprehended. This Dr. Grey extols as a generous act, when, according to the statement he himself gives of it from Clarendon, it was to be ascribed to Wilmot's policy and generalship. For, before he dismissed the spy, he ordered his forces to be drawn up before him in the most convenient place, and bid the fellow to look well upon them, and observe, and return to the town and report what he had seen, with a threat to the magistrates if the garrison did not surrender, and a promise of security if it submitted. The representations which the man made were of some advantage to the views of the royal party. Yet this conduct of Wilmot, which seems to have been a manœuvre only, in order to disparage Mr. Neal's delineation of his general character, is pompously represented by Dr. Grey as a singular instance of honour and generosity.—Ed.

* Clarendon, vol. 2. p. 534. † Ibid. p. 631. ‡ Ibid. p. 643.
¶ Ibid. p. 537. 555.

wherever they came they lived at free-quarter, and took but every thing they could, and therefore no wonder the Club-men united in their own defence.

The king thought to have reached London before the parliament could recruit their army, but the two houses sent immediately six thousand arms, and a train of artillery to Portsmouth, with new clothing for the Cornish soldiers. They ordered sir William Waller and the earl of Manchester to join them, and dispatched thither five thousand of the city train-bands, under the command of sir James Harington, by which accession they were enabled to face his majesty's army at Newbury, October 27, and having forced the town, which the king had fortified, after a smart engagement they took nine of his cannon and several colours, but under covert of the night, his majesty secured the rest of his artillery in Dennington-castle, and retreated with his broken army to Oxford; the parliament-generals left a body of troops to block up the castle, being assured it must surrender in the winter for want of provision; when on a sudden a party of the king's horse raised the blockade, and carried off the artillery to Oxford. This occasioned great murmuring at London, and quarrels among the generals, Essex, Manchester, and Cromwell, which ended in the new-modelling of the army, as will be seen under the next year.

While the royal army was little better than a company of banditti, or public robbers, the parliament's were kept under the strictest discipline, and grew up, for the most part, into great diligence and sobriety, which, says lord Clarendon, begot courage and resolution in them, and notable dexterity in achievements and exercises.* Most of

* Clarendon, vol. 2. p. 384.—This, Dr. Grey argues, does not agree with what lord Clarendon says in other places, viz. in his History, vol. 2. p. 46 and 55; and he insinuates that it is not true. As if what Mr. Neal advances must be false, even when he quotes lord Clarendon for his assertions, because it is apparently repugnant to the representations elsewhere given by his lordship's pen: as if it were incumbent on Mr. Neal to reconcile this noble writer to himself. But the veracity of Mr. Neal and the consistency of lord Clarendon with himself, would not have been impeached by Dr. Grey, had he examined the passage to which Mr. Neal refers: by which it appears, that both the king's and the parliament's army, at different periods, were of different characters; and the description which they deserved at one time did not apply to another. The passage which Mr. Neal now quotes, referred to a later, and the passages below, to which Dr. Grey directs his reader, refer to a former period. His lordship says, "those under the king's commanders grew insensibly into all the licence, disorder, and impiety, with which they had reproached the rebels: and they into great discipline, diligence, and sobriety."—Ed.

their officers were men of religion;* their soldiers possessed with a belief, that their cause was the cause of God,† and that they fought for the Protestant religion, and magna charta; however, there were among them men of dissolute lives, who fought only for pay and plunder; strange complaints being sent up from Bedfordshire, Buckinghamshire, and Sussex, of the disorders of the common soldiers, the parliament appointed a committee to inquire into the facts, and make examples of the offenders, which put an effectual stop to the growing mischief. And as the parliament were enabled, by the inexhaustible treasure of the city of London, to give their soldiers regular pay, they had them under such strict government, that they were little or no burden to the towns and villages where they were quartered.‡

Upon the whole, the parliament-affairs were low at the end of this year, and their counsels divided by reason of the length of the war, and the king's were much worse; for though he had triumphed over the earl of Essex in Cornwall, and was master of the open country in the west, he had no accession of real strength, nor had taken any considerable garrisons; the entrance of the Scots broke his army in the north, and lost him that part of the kingdom, whereby the parliament were enabled to draw off their forces to the west; and the worst circumstance of all was, that his majesty, having exhausted his treasure, had no way of raising a supply, which obliged him to connive at his soldiers living at free-quarter; his officers being poor, quarrelled in the royal presence, and carried their resentments to such a height, that the king himself could not reconcile them, which

* "Of pretended sanctity (says Dr. Grey), in which none could exceed them. They were praying and preaching when the enemy was at a distance, and literally made long prayers to devour widows' houses." He refers, then, to his own appendix for an instance of their fanatical honour; but the authorities, which he here produces, relate to the Scottish, not the English army.—Ed.

† This representation, Dr. Grey thinks, is contrary to Mr. Neal's character of them, in chap. 7, from Mr. Baxter; who says, "that the greatest part of the common soldiers were ignorant men, of little religion." But the doctor neither adverts to the time when this was said, namely in 1646, after the army had been new-modelled; nor observes what follows in Mr. Baxter, which shews that these ignorant irreligious were many of them such as had belonged to the royal corps: "abundance of them, such (says he) as had been taken prisoners, or turned out of garrisons under the king, and had been soldiers in his army." Baxter's Life, p. 53.—Ed.

‡ Dr. Grey, to confute these assertions of Mr. Neal, refers to papers which he has given in the appendix to his second volume; but the complaints brought forward in these papers are made of the Scottish army, and to transactions of the following year, viz. 1645.—Ed.

had a very ill aspect on the succeeding campaign.* The parliament-generals also were censuring each other's conduct in the house, on occasion of the escape of the king's artillery from Dennington-castle. The earl of Essex's party were charged with a design of protracting the war, in order to an accommodation, while others being weary, were for putting it to a decisive issue. In short, both parties were in confusion and distress; they were divided among themselves, some being for peace, and others for carrying on the war to the last extremity. All property was in a manner lost, the farmers paying no rent to their landlords; nor could any man be secure of what he possessed, except he buried it under ground. The spirits of the contending parties were as much exasperated as ever, and there was no seeing to the end of their troubles.

To return to the church. The state of the controversy about ecclesiastical discipline was now changed; for whereas before the entrance of the Scots, the parliament insisted only upon a reformation of the hierarchy, now they were engaged to attempt the total extirpation of it, and to establish another scheme for both kingdoms in its room; though it was a considerable time before this could be perfected. In the meanwhile, they resolved to purge the university of Cambridge, which was the head-quarters of their forces, that they might have a succession of clergymen training up in the principles they had espoused.

The town of Cambridge was in the interest of the parliament, but the colleges were so many little garrisons for the king, and sanctuaries of disaffection; the university-press was at his majesty's disposal, and their sermons filled with evectives against the two houses. Frequent quarrels happened between the townsmen and scholars, which would have ended in the ruin of the university, had not the parliament forbid the offering any violence to the colleges, chapels, libraries, and schools, under severe penalties.† Indeed the committee enjoined the proper officers of the parish, to put in execution the ordinance for destroying the relics of superstition, whereby the paintings in windows, images of the Deity, and a great deal of carved work, was demolished, at which the masters and fellows were so in-

* Clarendon, vol. 2. p. 389—391. † Sufferings of the Clergy, p. 168.

censed, that when they were ordered to repair the damages, they peremptorily refused, and were fined 40*s.* a college, as the ordinance directed.*

The heads of the university raised a great clamour at this pretended invasion of their rights, as if the parliament intended to seize all their revenues, and destroy the very fountains of learning; whereupon the houses published the following ordinance, January 6, *1643—4*, declaring "that none of the estates, rents, and revenues, of the university, or of the colleges and halls respectively, shall be sequestered or seized upon, or in any wise disposed of, by virtue of the ordinance for sequestering the estates, rents, and revenues, of delinquents, but shall remain to the university, and the respective halls and colleges, to all intents and purposes as if the said ordinance had not been made; and the rents and revenues, &c. are ordered to be approved of by the earl of Manchester, and to be applied to their proper uses as heretofore. But if any of the heads, fellows, scholars, or other officers, were convicted of delinquency, the receiver was to pay their dividend into the hands of the committee of sequestrations."†

This committee was founded upon an ordinance of January 22, for regulating the university of Cambridge, and for removing scandalous ministers in the seven associated counties; the preamble sets forth, "that the service of the parliament was retarded, the people's souls starved, by the idle, ill-affected, and scandalous clergy of the university of Cambridge, and the associated counties; and that many who were willing to give evidence against them, not being able to bear the charges of a journey to London, the earl of Manchester was therefore empowered to appoint committees in all the associated counties, to consist of ten persons, being deputy-lieutenants, or such as had been nominated to committees, by some former ordinance of parliament; five of these were a quorum, and they were empowered to call before them all provosts, masters, and fellows, of colleges, all students and members of the university, all ministers in any of the counties of the association, all schoolmasters that were scandalous in their lives, or ill-affected to the parliament, or fomenters of this unnatural war, or that shall wilfully

* Sufferings of the Clergy, p. 111; and Dr. Grey, vol. 2. p. 141.
† Husband's Collections, p. 409.

refuse obedience to the orders of parliament, or that have deserted their ordinary places of residence, not being employed in the service of the king and parliament. The said committee were also empowered to send for witnesses, and to examine any complaints against the forementioned delinquents upon oath, and to certify the names of the persons accused to the earl of Manchester, with the charge and proof, who shall have power to eject such as he shall judge unfit for their places; to sequester their estates, means, and revenues, and to dispose of them as he shall think fit, and place others in their room, being first approved by the assembly of divines sitting at Westminster. He had also power to order the covenant to be administered where he thought fit, and to assign the fifths of sequestered estates for the benefit of their wives and children."* The ordinance makes no mention of the doctrine or discipline of the church, seeming to be levelled only against those who took part with the king in the war.

The earl of Manchester, who was at the head of these sequestrations, was styled in the lifetime of his father, lord Kimbolton, and was one of the impeached members of the house of commons: lord Clarendon observes,† that "he was of a genteel and generous nature; that his natural civility and good manners flowed to all men, and that he was never guilty of any rudeness, even to those whom he was obliged to oppress; that he long and heartily wished for the restoration, and never forfeited that grace and favour to which his majesty received him after his return." The earl repaired in person to Cambridge, about the middle of February, with his two chaplains, Mr. Ashe and Mr. Good, and by his warrant of the 24th instant, required the heads of the several colleges and halls to send him their statutes, with the names of all their members, and to certify who were present, and who absent, with the express time of their discontinuance.‡ Two days after, the officers of each college and hall were ordered to give speedy advertisement to the masters, fellows, scholars, &c. to repair to Cambridge by the 10th of March, in order to answer such inquiries as should be made by himself or his commissioners. But the earl being informed,

* Husband's Collections, p. 415.
† Clarendon, vol. 1. p. 183. Vol. 2. p. 211, 212.
‡ Sufferings of the Clergy, p. 112.

that this notice was too short, the time was prolonged to the 3d of April, when the earl summoned Mr. Tunstal and Mr. Palgrave, fellows of Corpus-Christi college, to appear before the commissioners at the Bear-inn in Cambridge, on penalty of ejectment. Warrants of the same nature were sent to several of the fellows of Caius, St. John's, Queen's, Peterhouse, Sidney, Trinity, Christ's, Magdalen, and Jesus colleges; and to Pembroke and Clare hall; who, not appearing according to the summons, were, by a warrant of April 8, ejected, to the number of sixty-five. The reasons assigned for their expulsion were, nonresidence, and not returning upon due summons, and several other political misdemeanours.* If the parties ejected returned after this, they were required not to continue in the university above three days, on pain of imprisonment, and confiscation of their goods; their names were put out of the butteries, and the profits of their places reserved for their successors. Not one fellow or student in Trinity-hall, or Katherine-hall, was turned out, but all Queen's college was evacuated.

The covenant which was read March 18, 1644, in the churches and chapels of the town and university, and tendered to the inhabitants and soldiers, was not offered to the whole university, but only to such of whose disaffection they had sufficient evidence. Archbishop Tillotson says, the greatest part of the fellows of King's college were exempted, by the interest of Dr. Whichcote; and no doubt others who had behaved peaceably, obtained the same favour.† Dr. Barwick, author of the Querela Cantabrigiensis, a famous loyalist, mentions an oath of discovery for the university, like that of the oath *ex officio;* but Mr. Fuller the historian, about the year 1653, having requested an account of this oath from Mr. Ashe the earl's chaplain, he returned for answer, that he remembered no such thing. Mr. Fuller adds, that he is upon just grounds daily confirmed in his confidence, that neither the earl of Manchester, nor any other under him by his command or consent, enforced such an oath.‡

The whole number of graduates expelled the university in this and the following years, by the earl of Manchester and his commissioners, including masters and fellows of col-

* Sufferings of the Clergy, p. 151. 160.
† Introduction to the Sufferings of the Clergy, p. 113. ‡ Appeal, p. 72.

leges, were, according to Dr. Walker, near two hundred, besides inferior scholars, which were something more than one half;* for the same author tells us in another place,† there were about three hundred and fifty-five fellowships in the several houses of the university; above one hundred and fifty kept their places, and far the greatest part of the rest had deserted their stations, and fled to the king. There were six heads of colleges out of sixteen that complied, viz. Dr. Bainbrigge of Christ's college, Dr. Eden of Trinity-hall, Dr. Richard Love of Ben'et-college, Dr. Brownrigge of Katherine-hall, ejected in the year 1645, Dr. Bachcroft of Caius-college, and Dr. Rainbow of Magdalen-college. The ten who were ejected by the earl of Manchester March 13, or some little time after, with the names of their successors, are contained in the following table:

Masters turned out.	*Colleges.*	*Succeeded by*
Dr. John Cosins, from	Peter-house,	Dr. Lazarus Seaman.
Dr. Thomas Pask,	Clare-hall,	Dr. Ralph Cudworth.
Dr. Benjamin Laney,	Pembroke-hall,	Mr. Richard Vines.
Dr. Samuel Collins,	King's college,	Dr. Benjamin Whichcote.
Dr. Edward Martin,	Queen's college,	Mr. Herb. Palmer.
Dr. Richard Stern,	Jesus-college,	Dr. T. Young.
Dr. William Beale,	St. John's-college,	Dr. J. Arrowsmith.
Dr. Thomas Comber,	Trinity-hall,	Dr. Thomas Hill.
Dr. R. Holdsworth,	Emanuel-college,	Dr. Ant. Tuckney.
Dr. Samuel Ward,	Sidney-college,	Dr. Richard Minshull.
Anno 1645.		
Dr. Ralph Brownrigge,	Katherine-hall,	Dr. W. Spurstow, and afterward Dr. Lightfoot.

It has been objected to the proceedings of the commissioners, that they were not according to the statutes of the university; to which it was replied, that the nation was in a state of war; that these gentlemen were declared enemies to the proceedings of parliament; that they instilled into their pupils the unlawfulness of resisting the king upon any pretence whatsoever, and preached upon these subjects to the people. It was therefore necessary to take the education of the youth out of their hands, which could not be done any other way at present; but in all future elections they returned to the statutes.——It has been said farther, that it was a great loss to learning, because those who succeeded were not equal to those who were ejected.‡ Had this been true, it is no sufficient reason for keeping them in their places, in a time of war, if they were enemies to the

* Introduction to Sufferings of the Clergy, p. 114.
† Sufferings of the Clergy, p. 163. ‡ Walker's Attempt, p. 114.

constitution and liberties of their country. But the best way of determining the question as to their learning, is by comparing their respective characters.

Dr. Cosins had been sequestered by the parliament in the year 1640, for his high principles, and was retired to France, where he continued till the Restoration, and was then preferred to the rich bishoprick of Durham: he was a learned man, of an open, frank, and generous temper, and well versed in the canons, councils, and fathers.*

Dr. Paske lived peaceably and cheerfully under the parliament, and was reinstated in all his livings at the Restoration, except the mastership of this college, which he quitted to his son. The Querela Cantab. says, he was eminent for learning; but I do not remember that he has given any specimens of it to the world.†

Dr. Laney was first chaplain to Dr. Neil, and afterward prebendary of Westminster; he was one of the king's divines at the treaty of Uxbridge, and attended upon king Charles II. in his exile; after the Restoration he was successively bishop of Peterborough, Lincoln, and Ely, and was more favourable to the Nonconformists than some of his brethren. He has some sermons extant, and a small treatise against Hobbes.

Dr. Collins was regius professor, provost of King's college, and rector of Fenny-Ditton; of which last he was deprived by the earl of Manchester, for his steady adherence to the royal cause. He kept his provostship till the year 1645, and his professorship much longer. He died in the year 1651, and had the reputation of a great scholar, says Dr. Barwick, and his name was famous in foreign universities, though he has transmitted very little down to posterity.‡

Dr. Martin was one of archbishop Laud's chaplains, and one of Mr. White's scandalous ministers; he was accused not only of practising the late innovations, and of being in the scheme of reconciling the church of England with Rome; but of stealing wheat-sheaves out of the field in harvest on the sabbath-day, and laying them to his tithe stock. He was very high in his principles, and was imprisoned for sending the university-plate to the king. After his enlargement, he retired to France, and at the Restoration was pre-

* Sufferings of the Clergy, p. 68. † Ibid. p. 153. Calamy's Abridg. p. 178.
‡ Sufferings of the Clergy, p. 150.

ferred to the deanery of Ely. Lloyd says he was a godly man, and excellently well skilled in the canon, civil, and common law; but Mr. Prynne gives him a very indifferent character; and bishop Kennet acknowledges his principles were rigid, and his temper sour.*

Dr. Stern was another of archbishop Laud's chaplains, and imprisoned for the same reason as the former. He afterward assisted the archbishop on the scaffold, and lived retired till the Restoration, when he was made bishop of Carlisle, and in 1664 archbishop of York.† He had a sober, honest, mortified aspect, but was of very arbitrary principles, and a very uncharitable temper; for when Mr. Baxter, at the Savoy conference, was entreating the bishops not to cast out so many ministers in the nation, he made this mean remark to his brethren, that Mr. Baxter would not use the word kingdom lest he should own a king.‡

Dr. Beale was also imprisoned for sending the university-plate to the king; after his enlargement he retired to Oxford, and was one of the preachers before the court, but upon the declining of the king's cause, he retired to Madrid, where he died about the year 1651. He was a man of very high principles; though if we may believe the Querela, a person of such worth, as rendered him above the reach of commendation.‡

Dr. Comber was another of the king's chaplains, though imprisoned and deprived, for sending the university-plate to the king; after his enlargement he lived privately till the year 1654, when he died; he was a learned man, and of great piety and charity.

Dr. Holdsworth had been a celebrated preacher in the city of London, and divinity-professor in Gresham-college; he was afterward chosen master of Emanuel-college, Cambridge, and was a zealous advocate for the king, for which he was some time under confinement. He attended his majesty at Hampton-court and the Isle of Wight, and soon after died with grief. He was a pious and charitable man, but high in his principles, and of a hasty passionate temper. He published one sermon in his lifetime, and after his death his friends published his Prelectiones, and a volume of sermons.

* Kennet's Chronicle, p. 670. † Sufferings of the Clergy, p. 146.
‡ Ibid. p. 148.

Dr. Ward was one of the English divines at the synod of Dort, and nominated of the committee of divines that sat in the Jerusalem-chamber, and of the assembly at Westminster, though he never sat; he was a very learned man, and died soon after his ejectment.

Dr. Brownrigge was installed bishop of Exeter 1642, and deprived of his mastership in the year 1645, for some expressions in his sermon upon the king's inauguration. He was an excellent man, and of a peaceable and quiet disposition; after the war he was allowed the liberty of the pulpit, and was chosen master of the Temple, where he died about the year 1659.

Far be it from me to detract from the personal merit of any of these sufferers, or from their rank in the commonwealth of learning; but their political principles, like those of archbishop Laud, were certainly inconsistent with the constitution and liberties of England, and exposed them very naturally to the resentments of the parliament in these boisterous times.

Those who succeeded the ejected masters, having been first examined and approved by the assembly of divines at Westminster, were these:

Dr. Lazarus Seaman, a very considerable divine, according to Mr. Wood, a complete master of the oriental languages, an excellent casuist, and a judicious moving preacher. He was well versed in the controversy of church-government, which made the parliament send him with their commissioners to the Isle of Wight, where his majesty was pleased to take particular notice of his abilities.* He was ejected out of his mastership of Peter-house in 1662, and died in 1675.† He printed several sermons, and "A vindication of the judgment of the reformed churches concerning ordination."

Dr. Ralph Cudworth is so universally known in the learn-

* Calamy's Abridgment, vol. 2. p. 16.

† He always carried about with him a small Plantin Hebrew Bible without points. He had a deep and piercing judgment in all points of controversial divinity: nor was he less able to defend than find out the truth. Upon the invitation of an honourable lady, who was the head of a noble family, and was often solicited by Romish priests to change her religion, he engaged two of the most able priests they could pick out in a dispute, in the presence of the lord and lady, for their satisfaction; and, by silencing them upon the head of transubstantiation, was instrumental to preserve that whole family steadfast in the Protestant religion. Dr. Grey acknowledges, on Mr. Wood's authority, that he was a learned man, and died much lamented by the brethren. Palmer's Nonconformists' Memorial, vol. 1. p. 77.—Ed.

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ed world, for his great learning, which he discovered in his Intellectual System,* that I shall only observe, he conformed at the Restoration, and a little before resigned his mastership of Clare-hall into the hands of Dr. Dillingham, who continued in it to his death.

Mr. Richard Vines was a very learned and excellent divine, a popular and laborious preacher, one of the parliament-divines at the treaty of the Isle of Wight, and a most industrious and useful man in his college. He was turned out of his mastership for refusing the engagement, and died before the Restoration.

Dr. Benjamin Whichcote was fellow of Emanuel-college, and upon the ejectment of Dr. Collins preferred to the mastership of King's college, in which he continued till the Restoration, and then conformed. The account archbishop Tillotson gives of him is this; "that he was an excellent tutor and instructor of youth, and bred up many persons of quality and others, who afterward proved useful and eminent; that he contributed more to the forming the students to a sober sense of religion than any man of that age. He never took the covenant, and by his particular friendship and interest with some of the chief visitors, prevailed to have the greatest part of the fellows of his college exempted from that imposition."†

Mr. Herbert Palmer, B. D. was one of the university-preachers in 1632, and clerk in convocation for the diocess of Lincoln, at the beginning of this parliament; he was one of the assessors of the assembly of divines at Westminster, and on April 11, 1644, constituted master of Queen's college by the earl of Manchester.‡ He was very careful to appoint such persons for tutors of youth as were eminent for learning and piety; and being possessed of a good paternal estate was unbounded in his liberality. He was a polite gentleman a complete master of the French language, in which he

* This work, distinguished by the excellence of its reasoning and the variety of its learning, was published to stem the torrent of irreligion and atheism that prevailed in the reign of Charles II. The author, who was superior to all his contemporaries in metaphysics, was father to the learned and accomplished lady Masham, of Oates in Essex, in whose house Mr. Locke spent the last fourteen years of his life. Granger's History of England, vol. 3. p. 283, 8vo.—Ed.

† "His notions of religion were like his charity (says Mr. Granger), exalted and diffusive, and never limited by the narrow prejudices of sects and parties. He was disgusted with the dryness and foolishness of preaching that prevailed in his time; and encouraged the young students of his college to form themselves after the best models of Greece and Rome." History of England, vol. 3. p. 283, 284, 8vo.

‡ Clarke's Lives, p. 183, annexed to his General Martyrology.

could preach as well as in English; but his constitution being infirm he died in the year 1647, when he was only forty-seven years of age.*

Dr. T. Young was an eminent member of the assembly of divines, says Mr. Clarke,† a man of great learning, of much prudence and piety, and of great ability and fidelity in the work of the ministry. He was a preacher at Duke's place in London, from whence he was preferred to the mastership of Jesus-college, where he behaved with great prudence and piety, till he was turned out for refusing the engagement. He was one of the authors of the pamphlet called Smectymnuus.

Dr. John Arrowsmith was fellow of Katherine-hall, and of an unexceptionable character for learning and piety. He was an acute disputant, and a judicious divine, as appears by his Tactica Sacra, a book of great reputation in those times. He died before the Restoration.

Dr. Thomas Hill was fellow of Emanuel-college, and one of the assembly of divines at Westminster. He was first constituted master of Emanuel, and afterward removed to Trinity-college, where he employed all his zeal in the advancement of knowledge and virtue, and in keeping up the college-exercises. He was twice vice-chancellor, and as solicitous to preserve the honour and privilege of the university as any of his predecessors. He was a zealous Calvinist, and after about ten years' government of his college died in the year 1653.‡

Dr. Anthony Tuckney had been vicar of Boston in Lincolnshire, from whence he was called up to sit in the assembly of divines at Westminster. In the year 1645, he was constituted master of Emanuel-college.§ In 1653, he was chosen master of St. John's, and upon the death of Dr. Arrowsmith, regius professor of Oxford, which place he enjoyed till the Restoration, when king Charles II. by letter under the hand of secretary Nicholas, ordered him to resign, promising him, in consideration of his great pains and diligence in discharge of his duty, 100*l.* per annum, which was

* What archbishop Laud urged in his defence at his trial, as an instance of his impartiality, ought to be mentioned here to his credit: namely, that he presented Mr. Palmer, though professedly of Puritan principles, on account of his excellent character, to the vicarage of Ashwell in Hertfordshire, in 1632. Granger's History of England, vol. 2. p. 183, 8vo.—Ed.

† Clarke's Lives, p. 194.

‡ Ibid. p. 130, *ut ante*.

§ Calamy's Abridgment, p. 77.

paid by his successor till his death, in the year 1671. He left behind him the character of a pious and learned man, an indefatigable student, a candid disputant, and a zealous promoter of truth and piety. He published some practical treatises in his life; and his Prelectiones Theologicæ, with a volume of sermons, were printed after his death.*

Dr. Richard Minshull was fellow of Sidney-college, and upon the death of Dr. Ward chosen regularly, according to the statutes, into the vacant mastership, and continued therein till the Restoration, when he conformed, and was confirmed in his place, which he filled with reputation till his death.

Dr. William Spurstow, one of the assembly of divines, and one of the commissioners at the Savoy in the year 1662,† was a person of good learning, of a peaceable and quiet disposition, and of great humility and charity. He was turned out of his mastership of Katherine-hall for refusing the engagement, and was succeeded by the famous

Dr. Lightfoot, the most complete master of oriental learning of his age; the doctor enjoyed this mastership, with the sequestered living of Muchmunden, given him by the assembly of divines, till the Restoration, when he would have resigned it back into the hands of Dr. Spurstow, but he declining it, Lightfoot conformed, and upon his application to the king was confirmed in both his preferments till his death. His works were published by Mr. Strype in two volumes folio.

If it should be granted, that the new professors were not at first so expert in the learning of the schools as their predecessors, that defect was abundantly supplied by their application and diligence in their places, and by their observing a very strict and severe discipline; the tutors were constant in reading lectures not only in term-time, but out of it; the proctors and other officers had a strict eye over the students to keep them within bounds, and oblige them to be present

* Dr. Tuckney was also vice-chancellor of the university of Cambridge, and after the Restoration was appointed one of the commissioners at the conference held at the Savoy. His modesty was as distinguished as his learning. He presided over his college, which never flourished more than under his government, with great prudence and ability; and is said to have shewn more courage in maintaining the rights and privileges of the university in the lawless time in which he lived, than any of the heads of houses at Cambridge. Granger's History of England, vol. 3. p. 305, 306, 8vo. —Ed.

† Calamy's Abridgment, vol. 2. p. 471.

at morning and evening prayer. The Lord's day was observed with uncommon rigour; there were sermons and prayers in all the churches and chapels both morning and afternoon. Vice and profaneness were banished, insomuch that an oath was not to be heard within the walls of the university; and if it may be said without offence, the colleges never appeared more like nurseries of religion and virtue than at this period.* The noble historian confesses, the university of Oxford flourished as much in learning and learned men at the Restoration, as before the civil wars, which is equally true of Cambridge. And it ought to be remembered, that most of the considerable divines and philosophers who flourished in the regns of king Charles II. and king William III. owed their education to the tutors of those times, for whom they always retained a great veneration.

Though the form of inducting the new masters was not according to the statutes (as has been observed), because of the distraction of the times, it is evident this was not designed to be a precedent for their successors, as appears by the manner of their investiture, which was this: Mr. Lazarus Seaman having been examined and approved by the assembly of divines at Westminster, the earl of Manchester came in person into the chapel of Peter-house April 11, and did there declare and publish Mr. Lazarus Seaman to be constituted master of the said Peter-house, in the room of Dr. Cosins, late master, who had been justly and lawfully ejected; requiring Mr. Seaman to take upon him that office, putting him into the master's seat, and delivering to him the statutes of the college in token of his investiture, straitly charging the fellows, &c. to acknowledge and yield obedience to him, "notwithstanding he was not elected, nor admitted according to the ordinary course prescribed by the said statutes in this time of distraction and war, there being a necessity of reforming, as well the statutes themselves, as the members of the said house."† The earl then gave him an instrument under his hand and seal to the same effect, and administered him an oath or protestation, which he took in the following words:

"I do solemnly and seriously promise, in the presence of Almighty God, the searcher of all hearts, that during the

* Calamy's Abridgment, vol. 3. p. 74. † Sufferings of the Clergy, p. 114, 115.

time of my continuance in this charge, I shall faithfully labour to promote learning and piety in myself, the fellows, scholars, and students, that do or shall belong to the said college, agreeably to the late solemn national league and covenant, by me sworn and subscribed, with respect to all the good and wholesome statutes of the said college and of the university, correspondent to the said covenant: and by all means to procure the good, welfare, and perfect reformation, both of the college and university, so far as to me appertaineth."

The other masters were introduced into their several chairs after the same solemn manner, their warrants bearing date the 11th, 12th, or 13th, of April, 1644; but the clause of the covenant was omitted by those who did not take it, as in the case of Dr. Whichcote, and others.

The vacant fellowships being more numerous were not so quickly filled, though the earl took the most prudent method in that affair; April 10, he directed a paper to the several colleges, declaring that "his purpose was forthwith to supply the vacant fellowships, and desiring that if there were any in the respective colleges, who in regard of degree, learning, and piety, should be found fit for such preferment, they would, upon receipt of that paper, return him their names, in order to their being examined by the assembly, and invested in them." The persons thus examined and presented, were constituted fellows by warrant under the hand and seal of the earl of Manchester, to the heads of the several colleges, in the following form:

"Whereas A. B. has been ejected out of his fellowship in this college; and whereas C. D. has been examined and approved by the assembly of divines, these are therefore to require you to receive the said C. D. as fellow in the room of A. B. and to give him place according to his seniority in the university, in preference to all those that are, or shall hereafter be, put in by me."*

I have before me the names of fifty-five persons,† who, after they had been examined by the assembly, were presented to the vacant fellowships, in the compass of the year 1644; and within six months more all the vacancies were in a manner supplied, with men of approved learning and piety.

* Sufferings of the Clergy, p. 114, 115. † MS. *penes me.*

From this time the university of Cambridge enjoyed a happy tranquillity; learning flourished, religion and good manners were promoted, at a time when the rest of the nation was in blood and confusion. And though this alteration was effected by a mixture of the civil and military power, yet in a little time things reverted to their former channel, and the statutes of the university were as regularly observed as ever. Let the reader now judge the candour and impartiality of the famous Dr. Barwick, author of the Querela Cantabrigiensis, whose words are these: "Thus the knipper-dolings of the age reduced a glorious and renowned university almost to a mere Munster, and did more in less than three years, than the apostate Julian could effect in his reign, viz. broke the heartstrings of learning, and all learned men, and thereby luxated all the joints of Christianity in this kingdom. We are not afraid to appeal to any impartial judge, whether if the Goths and Vandals, or even the Turks themselves, had overrun this nation, they would have more inhumanly abused a flourishing university, than these pretended advancers of religion have done? Having thrust out one of the eyes of this kingdom, made eloquence dumb, philosophy sottish; widowed the arts, drove the muses from their ancient habitation, plucked the reverend and orthodox professors out of the chairs, and silenced them in prison or their graves; turned religion into rebellion; changed the apostolical chair into a desk for blasphemy; tore the garland from off the head of learning to place it on the dull brows of disloyal ignorance, and unhived those numerous swarms of labouring bees, which used to drop honey-dews over all this kingdom, to place in their room swarms of senseless drones."* Such was the rant of this reverend clergyman; and such the language and the spirit of the ejected loyalists!

While the earl was securing the university to the parliament, he appointed commissioners for removing scandalous ministers in the seven associated counties, empowering them to act by the following warrant:

"March 15, 1644.

"By virtue of an ordinance of both houses of parliament, bearing date January 22, 1643—4, I do authorize and appoint you ————, or any five of you, to call before you

* Querela, Pref. p. 2. 26, 27. Walker's Attempt, p. 115.

all ministers or schoolmasters within the counties of ———, that are scandalous in their lives, or ill-affected to the parliament, or fomenters of this unnatural war; or that shall wilfully refuse obedience to the ordinances of parliament; or that have deserted their ordinary places of residence, not being employed in the service of the king and parliament, with full power and liberty to send for any witnesses, and to examine complaints upon oath. And you are to certify the names of ministers, with the charge and proof against them, to me."*

It is to be observed, that the warrant is pointed only against those who are immoral, or disaffected to the parliament, or had deserted their cures; and was accompanied with instructions, and a letter, exhorting them to the faithful and effectual discharge of the trust. The instructions were to this effect:—

First, "That they should be speedy and effectual in executing the ordinances, and sit in such places within the county that all parties, by the easiness of access, may be encouraged to address themselves to them with their complaints.

Secondly, "That they should issue their warrants, to summon before them such ministers and witnesses, as the articles preferred against them should require.

Thirdly, "That the party accused should not be present at the taking the depositions, because of discountenancing the witnesses, and disturbing the service;† but when the depositions were taken upon oath the party accused should have a copy, and have a day given him to return his answer in writing, and to make his defence within fourteen days, or thereabouts.

Fourthly, "They were to return both the accusation and defence to Mr. Good and Mr. Ashe, the earl's chaplains, and upon such receipts they should have farther directions.

Fifthly, "If the party accused would not appear to make his defence, they were to certify the cause of his absence, because if they were nonresidents, or in arms against the parliament, the earl would proceed against them.‡

* Sufferings of the Clergy, p. 117.

† This was owing to the insolent and unmannerly behaviour of some of the clergy before the commissioners; for the ordinance of September 6, 1643, appoints, that the witnesses shall be examined in their presence; and that sufficient warning shall be given of the time and place where the charge against them should be proved.

‡ Husband's Collections, p. 311.

Sixthly, "It being found by experience, that parishioners were not forward to complain of their ministers, though very scandalous; some being enemies to the intended reformation, and others sparing their ministers, because they favoured them in their tithes, and were therefore esteemed quiet men; therefore they were required to call unto them some well-affected men within every hundred, who, having no private engagements, were to be encouraged by the committees to inquire after the doctrines, lives, and conversations, of all ministers and schoolmasters, and to give information what could be deposed, and who could depose the same.

Seventhly, "Each commissioner shall have five shillings for every day he sits; and the clerk to receive some pay, that he might not have occasion to demand fees for every warrant or copy, unless the writings were very large.

Eighthly, "Upon the ejecting of any scandalous or malignant ministers, they were to require the parishioners to make choice of some fit and able person to succeed, who was to have a testimonial from the well-affected gentry and ministry; and to take particular care that no Anabaptist, or Antinomian, be recommended.

Ninthly, "They were to certify the true value of each living: as also the estate, livelihood, and charge, of children, which the accused person had, for his lordship's direction in the assignment of the fifths. And,

Lastly, "They were to use all other proper ways and methods for speeding the service."

With these instructions the earl sent an exhortation by letter in the following words:

"Gentlemen,

"I send you by this bearer a commission, with instructions for executing the ordinance, &c. within your county. I neither doubt of your abilities nor affections to further this service, yet according to the great trust reposed in me herein by the parliament, I must be earnest with you to be diligent therein. You know how much the people of this kingdom have formerly suffered in their persons, souls, and estates, under an idle, ill-affected, scandalous, and insolent clergy, upheld by the bishops; and you cannot but foresee, that their pressures and burdens will still continue, though the form of government be altered, unless great care be

taken to displace such ministers, and to place orthodox and holy men in every parish; for let the government be what it will for the form thereof, yet it will never be good, unless the parties employed therein be good themselves. By the providence of God it now lies in your power to reform the former abuses, and to remove these offenders. Your power is great, and so is your trust. If a general reformation follows not within your county, assuredly the blame will be laid upon you, and you must expect to be called to an account for it both here and hereafter. For my part, I am resolved to employ the utmost of my power given to me by the ordinance, for procuring a general reformation in all the associated counties, expecting your forwardness, and heartily joining with me herein.*

"I rest, &c."

When a clergyman was convicted according to the instructions above mentioned, report was made to the earl, who directed a warrant to the churchwardens of the parish, to eject him out of his parsonage, and all the profits thereof; and another to receive the tithes, and all the benefits into their own hands, and to keep them in safe custody till they should receive farther order from himself.† At the same time he directed the parishioners to choose a proper minister for the vacant place, and upon their presentation his lordship sent him to the assembly of divines at Westminster, with an account of his character, for their trial and examination. And upon a certificate from the assembly, that they approved of him as an orthodox divine, and qualified to officiate in the pastoral function, his lordship issued out his last warrant, setting forth that "such a one having been approved by the assembly, &c. he did therefore authorize and appoint him the said ———, to officiate as minister, to preach, teach, and catechise, in such a parish during his (the earl's) pleasure, and then empower him to take possession of the church, parsonage-houses, glebelands, and to receive the tithes and profits, and enjoy the same, until his lordship should take farther order concerning the same, requiring all officers to aid and assist him for that purpose."

If the committees observed these articles there could be no reasonable ground of complaint, except of the sixth,

* Sufferings of the Clergy, p. 118. † Ibid. p. 119.

which may be construed as giving too much encouragement to informers; but the methods of conviction were unexceptionable. The persons to be called before the commissioners were scandalous, or enemies to the parliament; the depositions were upon oath; a copy of them was allowed the defendant, with time to give in his answer in writing; then a day appointed to make his defence in presence of the witnesses, to whom he might take exceptions; and after all, the final judgment not left with the commissioners, but with the earl. The filling the vacant benefice was no less prudent; the parishioners were to choose their own minister, who was to produce testimonials of his sobriety and virtue; the assembly were then to examine into his learning and ministerial qualifications; and after all, the new incumbent to hold his living only during pleasure; the parliament being willing to leave open a door, at the conclusion of a peace, for restoring such royalists as were displaced merely for adhering to the king, without prejudice to the present possessor. One cannot answer for particulars under such uncommon distractions and violence of parties; but the orders were, in my opinion, not only reasonable but expedient, for the support of the cause in which the parliament was engaged.

The committees for the associated counties acted, I apprehend, no longer than the year 1644. The last warrant of ejectment mentioned by Dr. Nalson, bearing date March 17, 1644—5, in which time affairs were brought to such a settlement in those parts, that the royalists could give them no disturbance.* The associated counties, says Mr. Fuller, escaped the best of all parts in this civil war, the smoke thereof only offending them, while the fire was felt in other places. The chief ejectments by the commissioners in other parts of England, were in the years 1644, 1645, and till the change of government in the year 1649, when the covenant itself was set aside, and changed into an engagement to the new commonwealth.

It is hard to compute the number of clergymen that might lose their livings by the several committees during the war, nor is it of any great importance, for the law is the same whether more or fewer suffer by it; and the not putting it in execution might be owing to want of power or oppor-

* Sufferings of the Clergy, p. 119.

tunity. Dr. Nalson says, that in five of the associated counties one hundred and fifty-six clergymen were ejected in little more than a year; namely, in Norfolk fifty-one, Suffolk thirty-seven, Cambridgeshire thirty-one, Essex twenty-one, Lincolnshire sixteen; and if we allow a proportionable number for the other two, the whole will amount to two hundred and eighteen, and if in seven counties there were two hundred and eighteen sufferers, the fifty-two counties of England, by a like proportion, will produce upwards of sixteen hundred. Dr. Walker has fallaciously increased the number of suffering clergymen to eight thousand, even though the list at the end of his book makes out little more than a fifth part. Among his cathedral clergy he reckons up several prebends and canonries, in which he supposes sufferers without any evidence. Of this sort Dr. Calamy has reckoned above two hundred.* If one clergyman was possessed of three or four dignities, there appear to be as many sufferers. The like is observable in the case of pluralists; for example, Richard Stuart, LL. D. is set down as a sufferer in the deanery of St. Paul's, as prebendary of St. Pancras, and residentiary; in the deanery and prebend of the third stall in Westminster; in the deanery of the royal chapel; in the provostship of Eton-college, and prebend of Northalton in the church of Salisbury; all which preferments he enjoyed, says Dr. Walker, or was entitled to, together, and his name is repeated in the several places. By such a calculation it is easy to deceive the reader, and swell the account beyond measure. The reverend Mr. Withers,† a late Nonconformist minister at Exeter, has taken care to make an exact computation in the associated counties of Suffolk, Norfolk, and Cambridgeshire, in which are one thousand three hundred and ninety-eight parishes, and two hundred and fifty-three sequestrations; so that if these may be reckoned as a standard for the whole kingdom, the whole number will be reduced considerably under two thousand. He has also made another computation from the county of Devon, in which are three hundred ninety-four parishes, and one hundred and thirty-nine sequestrations, out of which thirty-nine are deducted for pluralities, &c. and then by comparing this county, in which both Dr. Walker

* Church and Dissenters compared, p. 52.
† Appendix to his Reply to Mr. Agate, p. 27, 28.

and Mr. Withers lived, with the rest of the kingdom, the amount of sufferers, according to him, is one thousand seven hundred and twenty-six; but admitting they should arise to the number of the doctor's names in his index, which are about two thousand four hundred, yet when such were deducted as were fairly convicted upon oath, of immoralities of life, &c. (which were a fourth in the associated counties), and all such as took part with the king in the war, or disowned the authority of the parliament; preaching up doctrines inconsistent with the cause for which they had taken arms, and exciting the people to an absolute submission to the authority of the crown, the remainder that were displaced only for refusing the covenant, must be very inconsiderable. Mr. Baxter says, they cast out the grosser sort of insufficient and scandalous clergy, and some few civil men that had acted in the wars for the king, and set up the late innovations, but left in near one half of those that were but barely tolerable. He adds farther, "that in all the counties in which he was acquainted six to one at least, if not more, that were sequestered by the committees, were by the oaths of witnesses proved insufficient, or scandalous, or both."*

But admitting their numbers to be equal to those Puritan ministers ejected at the Restoration, yet the cause of their ejectment, and the circumstances of the times, being very different, the sufferings of the former ought not to be compared to the latter; though Dr. Walker is pleased to say in his preface, that "if the sufferings of the dissenters bear any tolerable proportion to those of the ejected loyalists, in number, degrees, or circumstances, he will be gladly deemed not only to have lost all his labour, but to have revived a great and unanswerable scandal on the cause he has undertaken to defend." I shall leave the reader to pass his own judgment upon this declaration, after I have produced the testimony of one or two divines of the church of England. "Who can answer (says one) for the violence and injustice of actions in a civil war? Those sufferings were in a time of general calamity, but these [in 1662] were ejected not only in a time of peace, but a time of joy to all the land, and after an act of oblivion, to which common rejoicing these suffering ministers had contributed their earnest

* History of Life and Times, p. 74.

prayers, and great endeavours."*—"I must own (says another of the doctor's correspondents) that though both sides have been excessively to blame, yet that the severities used by the church to the dissenters are less excusable than those used by the dissenters to the church; my reason is, that the former were used in time of peace, and a settled government, whereas the latter were inflicted in a time of tumult and confusion, so that the plundering and ravaging endured by the church-ministers were owing, many of them at least, to the rudeness of the soldiers, and the chances of war; they were plundered not because they were Conformists, but cavaliers, and of the king's party."† The case of those who were sober and virtuous, seems to be much the same with the nonjurors at the late revolution of king William III. and I readily agree with Mr. Fuller, that "moderate men bemoaned these severities, for, as much corruption was let out by these ejectments (many scandalous ministers being deservedly punished), so at the same time the veins of the English church were also emptied of much good blood."‡

We have already observed, that a fifth part of the revenues of these ejected clergymen was reserved for the maintenance of their poor families, "which was a Christian act, and which I should have been glad (says the divine above mentioned) to have seen imitated at the Restoration."§ Upon this the cavaliers sent their wives and children to be maintained by the parliament-ministers, while themselves were fighting for their king. The houses therefore ordained, September 8, 1645, that the fifths should not be paid to the wives and children of those who came into the parliament-quarters without their husbands or fathers, or who were not bred in the Protestant religion.‖ Yet when the war was over, all were allowed their fifths, though in some places they were ill paid, the incumbent being hardly able to allow them, by reason of the smallness of his living, and the devastation of the war. When some pretended to excuse themselves on the forementioned exceptions, the two houses published the following explanation, November 11, 1647, viz. "that the wives and children of all such persons

* Conform. First Plea, p. 12, 13.
† Calamy's Church and Dissenters compared, p. 23, 24.
‡ Church History, p. 207. § Calamy's Ch. and Diss. comp. p. 24.
‖ Husband's Collections, p. 726.

whose estates and livings are, have been, or shall be, sequestered by order of either house of parliament, shall be comprehended within the ordinance which allows a fifth part for wives and children, and shall have their fifth part allowed them; and the committee of lords and commons for sequestrations, and the committees for plundered ministers, and all other ministers, are required to take notice hereof, and yield obedience hereunto."* Afterward, when it was questioned whether the fifths should pay their proportion of the public taxes, it was ordained, that the incumbent only should pay them. Under the government of the protector Cromwell it was ordained, that if the ejected minister left the quiet possession of his house and glebe to his successor within a certain time, he should receive his fifths, and all his arrears, provided he had not a real estate of his own of 30*l.* per annum, or 500*l.* in money.

After all, it was a hard case on both sides; the incumbents thought it hard to be obliged to all the duties of their place, and another to go away with a fifth of the profit, at a time when the value of church-lands was considerably lessened by the neglect of tillage, and exorbitant taxes laid upon all the necessaries of life. To which may be added, an opinion that began to prevail among the farmers, of the unlawfulness of paying tithes: Mr. Selden had led the way to this in his book of tithes, whereupon the parliament, by an ordinance of November 8, 1644, "strictly enjoined all persons fully, truly, and effectually, to set out, yield, and pay respectively, all and singular tithes, offerings, oblations, obventions, rates for tithes, and all other duties commonly known by the name of tithes." Others who had no scruple about the payment of tithes, refused to pay them to the new incumbent, because the ejected minister had the legal right; insomuch that the Presbyterian ministers were obliged in many places to sue their parishioners, which created disturbances and divisions, and at length gave rise to several petitions from the counties of Buckingham, Oxford, Hertford, &c. praying, that their ministers might be provided for some other way. The parliament referred them to a committee, which produced no redress, because they could not fix upon another fund, nor provide for the lay-impropriations.

* Sufferings of the Clergy, p. 100.

CHAP IV.

OF THE SEVERAL PARTIES IN THE ASSEMBLY OF DIVINES,—PRESBYTERIANS, ERASTIANS, INDEPENDENTS. THEIR PROCEEDINGS ABOUT ORDINATION, AND THE DIRECTORY FOR DIVINE WORSHIP. THE RISE, PROGRESS, AND SUFFERINGS, OF THE ENGLISH ANTIPÆDOBAPTISTS.

BEFORE we proceed to the debates of the assembly of divines, it will be proper to distinguish the several parties of which it was constituted.* The episcopal clergy had entirely deserted it before the bringing in of the covenant, so that the establishment was left without a single advocate. All who remained were for taking down the main pillars of the hierarchy, before they had agreed what sort of building to erect in its room.

The majority at first intended only the reducing episcopacy to the standard of the first or second age, but for the sake of the Scots alliance, they were prevailed with to lay aside the name and function of bishops, and attempt the establishing a presbyterial form, which at length they advanced into *jus divinum*, or a divine institution, derived expressly from Christ and his apostles. This engaged them in so many controversies, as prevented their laying the top stone of the building, so that it fell to pieces before it was perfected. The chief patrons of presbytery in the house of commons, were, Denzil Hollis, esq. sir William Waller, sir Philip Stapleton, sir John Clotworthy, sir Benjamin Rudyard, serjeant Maynard, colonel Massey, colonel Harley, John Glynn, esq. and a few others.

The Erastians formed another branch of the assembly, so called from Erastus, a German divine of the sixteenth century. The pastoral office according to him was only persuasive, like a professor of the sciences over his students, without any power of the keys annexed.† The Lord's sup-

* The name of Puritans is from this time to be sunk; and they are for the future to be spoken of under the distinction of Presbyterians, Erastians, and Independents, who had all their different views. Dr. Warner's Ecclesiastical History, vol. 2. p. 561.—ED.

† Baxter's Life, p. 139.

per, and other ordinances of the gospel, were to be free and open to all. The minister might dissuade the vicious and unqualified from the communion, but might not refuse it, or inflict any kind of censure; the punishment of all offences, either of a civil or religious nature, being reserved to the magistrate. The pretended advantage of this scheme was, that it avoided the erecting *imperium in imperio*, or two different powers in the same civil government; it effectually destroyed all that spiritual jurisdiction and coercive power over the consciences of men, which had been challenged by popes, prelates, presbyteries, &c. and made the government of the church a creature of the state. Most of our first reformers were so far in these sentiments, as to maintain that no one form of church-government is prescribed in Scripture as an invariable rule for future ages; as, Cranmer, Redmayn, Cox, &c. and archbishop Whitgift, in his controversy with Cartwright, delivers the same opinion; "I deny (says he) that the Scripture has set down any one certain form of church-government to be perpetual."—Again, "It is well known, that the manner and form of government expressed in the Scriptures, neither is now, nor can, nor ought to be, observed, either touching persons or functions. —The charge of this is left to the magistrate, so that nothing be contrary to the word of God. The government of the church must be according to the form of government in the commonwealth." The chief patrons of this scheme in the assembly were, Dr. Lightfoot, Mr. Colman, Mr. Selden, Mr. Whitelocke; and in the house of commons, besides Selden and Whitelocke, Oliver St. John, esq. sir Thomas Widdrington, John Crew, esq. sir John Hipsley, and others of the greatest names.

The Independents, or congregational brethren, composed a third party, and made a bold stand against the proceedings of the high Presbyterians; their numbers were small at first, though they increased prodigiously in a few years, and grew to a considerable figure under the protectorship of Oliver Cromwell.

We have already related their original, and carried on their history till they appeared in public about the latter end of the year 1640. The divines who passed under this denomination in the assembly, had fled their country in the late times, and formed societies according to their own

model in Holland, upon the states allowing them the use of their churches, after their own service was ended, with liberty of ringing a bell to public worship. Here, as they declare, they set themselves to consult the Holy Scriptures as impartially as they could, in order to find out the discipline that the apostles themselves practised in the very first age of the church; the condition they were in, and the melancholy prospect of their affairs affording no temptation to any particular bias. The rest of their history, with their distinguishing opinions, I shall draw from their Apologetical Narration, published in 1643, and presented to the house of commons.

"As to the church of England (say they) we profess, before God and the world, that we do apprehend a great deal of defilement in their way of worship, and a great deal of unwarranted power exercised by their church-governors, yet we allow multitudes of their parochial churches to be true churches, and their ministers true ministers. In the late times, when we had no hopes of returning to our own country, we held communion with them, and offered to receive to the Lord's supper some that came to visit us in our exile, whom we knew to be godly, upon that relation and membership they held in their parish-churches in England, they profess in themselves to be members thereof, and belonging thereto. The same charitable disposition we maintained towards the Dutch churches among whom we lived. We mutually gave and received the right hand of fellowship, holding a brotherly correspondence with their divines, and admitting some of the members of their churches to communion in the sacrament, and other ordinances, by virtue of their relation to those churches."*

The scheme they embraced was a middle way between Brownism and Presbytery, viz. that "every particular congregation of Christians has an entire and complete power of jurisdiction over its members, to be exercised by the elders thereof within itself. This they are sure must have been the form of government in the primitive church, before the numbers of Christians in any city were multiplied so far as to divide into many congregations, which it is dubious, whether it was the fact in the apostles' times.†

"Not that they claim an entire independency with regard

* Apologet. Narr. of the Independents, p. 78. † Ibid. p. 12. 15.

to other churches, for they agree that in all cases of offence, the offending church is to submit to an open examination, by other neighbouring churches, and on their persisting in their error of miscarriage, they then are to renounce all Christian communion with them, till they repent, which is all the authority or ecclesiastical power that one church may exercise over another, unless they call in the civil magistrate, for which they find no authority in Scripture.*

"Their method of public worship in Holland was the same with other Protestants; they read the Scriptures of the Old and New Testament in their assemblies, and expounded them on proper occasions; they offered up public and solemn prayers for kings, and all in authority; and though they did not approve of a prescribed form, they admitted that public prayer in their assemblies ought to be framed by the meditation and study of their ministers, as well as their sermons; the word of God was constantly preached; the two sacraments, of baptism to infants, and the Lord's supper, were frequently administered; to which was added, singing of psalms, and a collection for the poor every Lord's day.

"They profess their agreement in doctrine with the articles of the church of England, and other reformed churches.

"Their officers, and public rulers in the church, were pastors, teachers, ruling elders (not lay, but ecclesiastical persons, separated to that service), and deacons.

"They practised no church-censures but admonition; and excommunication upon obstinate and impenitent offenders, which latter they apprehended should not be pronounced but for crimes of the last importance, and which may be reasonably supposed to be committed contrary to the light and conviction of the person's conscience.

"In conclusion, they call God and man to witness, that out of a regard to the public peace they had forbore to publish their peculiar opinions, either from the pulpit or press, or to improve the present disposition of the people to the increase of their party; nor should they have published that apology to the world, had not their silence been interpreted as an acknowledgment of those reproaches and calumnies that have been cast upon them by their adversaries;

* Apologet. Narr. of the Independents, p. 13.

but should have waited for a free and open debate of their sentiments in the present assembly of divines, though they are sensible they shall have the disadvantage with regard to numbers, learning, and the stream of public interest; however, they are determined in all debates to yield to the utmost latitude of their consciences, professing it to be as high a point of religion to acknowledge their mistakes when they are convinced of them, as to hold fast the truth; and when matters are brought to the nearest agreement, to promote such a temper as may tend to union, as well as truth.*

"They therefore beseech the honourable houses of parliament, not to look upon them as disturbers of the public peace, but to consider them as persons that differ but little from their brethren; yea, far less than they do from what themselves practised three years ago. They beseech them likewise to have some regard to their past exile and present sufferings, and upon these accounts to allow them to continue in their native country, with the enjoyment of the ordinances of Christ, and an indulgence in some lesser differences, as long as they continue peaceable subjects.

"Signed by,

"Thos. Goodwin, Sydrach Simpson, Philip Nye, Jer. Burroughs, William Bridge."†

The reverend Mr. Herle, afterward prolocutor of the assembly, in his *imprimatur* to this Apology, calls it a performance full of peaceableness, modesty, and candour; and though he wrote against it, yet in his preface to his book entitled "The independency upon Scripture of the independency of churches," says, "The difference between us and our brethren who are for independency, is nothing so great as some may conceive; at most it does but ruffle the fringe, not any way rend the garment, of Christ; it is so far from being a fundamental, that it is scarce a material difference." The more rigid Presbyterians attacked the Apology with greater severity; swarms of pamphlets were published against it in a few months, some reflecting on the persons of the apologists, and others on their principles, as tending to break the uniformity of the church, under the pretence of liberty of conscience. The most furious adversaries were, Dr. Bastwick, old Mr. Vicars, and Mr. Edwards, minister of Christ-church, London, who printed an Antapo-

* Apologet. Narr. of the Independents, p. 24, 25. 27. † Ibid. p. 30.

logia, of three hundred pages in quarto, full of such bitter invectives, that the pacific Mr. Burroughs said, "he questioned whether any good man ever vented so much malice against others, whom he acknowledged to be pious and religious persons." But we shall have occasion to remember this gentleman hereafter.

Lord Clarendon and Mr. Echard represent the Independents as ignorant and illiterate enthusiasts; and though Mr. Rapin confesses,* he knew nothing of their rise and progress, he has painted them out in the most disadvantageous colours, affirming "that their principles were exceeding proper to put the kingdom into a flame; that they abhorred monarchy, and approved of none but a republican government, and that as to religion, their principles were contrary to all the rest of the world; that they would not endure ordinary ministers in the church, but every one among them prayed, preached, admonished, and interpreted Scripture, without any other call than what himself drew from his supposed gifts and the approbation of his hearers."

It is surprising so accurate an historian should take such liberties with men whose principles he was so little acquainted with, as to say, the Independents abhorred monarchy, and approved of none but a republican government; whereas they assure the world in their Apology, that they prayed publicly for kings, and all in authority. This was no point of controversy between them and the Presbyterians, for when they had the king in their custody they served him on the knee, and in all probability would have restored him to the honours of his crown, if he had complied with their proposals. When they were reproached with being enemies to magistracy, a declaration was published by the congregational societies in and about London, in the year 1647, wherein they declare, "that as magistracy and government in general are the ordinance of God, they do not disapprove of any form of civil government, but do freely acknowledge, that a kingly government, bounded by just and wholesome laws, is both allowed by God, and a good accommodation unto men."† And if we may believe Dr. Welwood,‡ when the army resolved to set aside the present king, the governing party would have advanced the duke

* Vol. 2. p. 514, folio.
† Page 8.
‡ Memoirs, p. 90. 1718.

of Gloucester to the throne, if they could have done it with safety. With regard to religion, Rapin adds, their principles were contrary to all the rest of the world; and yet they gave their consent to all the doctrinal articles of the assembly's confession of faith, and declared in their Apology, their agreement with the doctrinal articles of the church of England, and with all the Protestant reformed churches in their Harmony of Confessions, differing only about the jurisdiction of classes, synods, and convocations, and the point of liberty of conscience.—Our historian adds, that "they were not only averse to episcopacy, but would not endure so much as ordinary ministers in the church. They maintained, that every man might pray in public, exhort his brethren, and interpret Scripture, without any other call than what himself drew from his zeal and supposed gifts, and without any other authority than the approbation of his hearers." Here his annotator Mr. Tindal rightly observes, that he has mistaken the Independents for the Brownists; the Independents had their stated officers in the church for public prayer, preaching, and administering the sacraments, as pastors, teachers, and elders (who were ecclesiastics), and deacons to take care of the poor; not did they admit of persons unordained to any office, to exercise their gifts publicly, except as probationers, in order to their devoting themselves to the ministry. The words of their confession are, "The work of preaching is not so peculiarly confined to pastors and teachers, but that others also gifted, and fitted by the Holy Ghost for it, and approved (being by lawful ways and means, by the providence of God, called thereunto), may publicly, ordinarily, and constantly, perform it, so that they give themselves up thereunto."* It is necessary the reader should make these remarks, to rectify a train of mistakes which runs through this part of Mr. Rapin's history, and to convince him, that the king's death was not owing to the distinguishing tenets of any sect or party of Christians. There were indeed some republicans and levellers in the army, whose numbers increased after they despaired of bringing the king into their measures, and it is well known that at their first appearance, Cromwell by his personal valour suppressed them with the hazard of his life. These were chiefly Anabaptists,

* Savoy Conference, 4to. p. 24. art. 14.

and proved as great enemies to the protector as they had been to the king. But there is nothing in the principles of the Presbyterians, Independents, or Anabaptists, as far as I can learn, inconsistent with monarchy, or that had a natural tendency to put the kingdom into a flame.

Mr. Baxter, who was no friend to the Independents, and knew them much better than the above-mentioned writers, admits, "that most of them were zealous, and very many learned, discreet, and pious, capable of being very serviceable to the church, and searchers into Scripture and antiquity;"* though he blames them on other occasions, for making too light of ordination; for their too great strictness in the qualification of church-members; for their popular form of church-government; and their too much exploding of synods and councils; and then adds, "I saw commendable care of serious holiness and discipline in most of the Independent churches; and I found that some episcopal men, of whom archbishop Usher was one, agreed with them in this, that every bishop was independent, and that synods and councils were not so much for government as concord." And I may venture to declare, that these are the sentiments of almost all the Protestant Nonconformists in England at this day.

There was not one professed Antipædobaptist in the assembly, though their sentiments began to spread wonderfully without doors. Their teachers were for the most part illiterate, yet Mr. Baxter says,† "he found many of them sober, godly, and zealous, not differing from their brethren but as to infant baptism." These joining with the Independents in the points of discipline and toleration, made them the more considerable, and encouraged their opposition to the Presbyterians, who were for establishing their own discipline, without regard to such as differed from them.

It is not to be wondered, that so many parties with different views should entangle the proceedings of this venerable body, and protract the intended union with the Scots; though as soon as the covenant was taken, they entered upon that affair, the parliament having sent them the following order, dated October 12, 1643.

"Upon serious consideration of the present state of af-

* Baxter's Life, p. 140. 143. † Life, p. 40.

fairs, the lords and commons assembled in this present parliament do order, that the assembly of divines and others do forthwith confer, and treat among themselves, of such a discipline and government as may be most agreeable to God's holy word, and most apt to procure and preserve the peace of the church at home, and a nearer agreement with the church of Scotland, &c. to be settled in this church instead of the present church-government by archbishops, bishops, &c. which it is resolved to take away; and to deliver their advice touching the same to both houses of parliament with all convenient speed."

Hereupon the assembly set themselves to inquire into the constitution of the primitive church, in the days of the apostles, which, being founded upon the model of the Jewish synagogues, gave the Lightfoots, the Seldens, the Colmans, and other masters of Jewish antiquities, an opportunity of displaying their superior learning, by new and unheard-of interpretations of Scripture, whereby they frequently disconcerted the warmer Presbyterians, whose plan of discipline they had no mind should receive the stamp of an apostolic sanction in the church of England.*

It was undoubtedly a capital mistake in the proceedings of parliament, to destroy one building before they were agreed upon another. The ancient order of worship and discipline in the church of England was set aside above twelve months before any other form was appointed; during which time, no wonder sects and divisions arrived to such a pitch, that it was not in their power afterward to destroy them. Committees indeed were appointed to prepare materials for the debate of the assembly, some for discipline, and others for worship, which were debated in order, and then laid aside without being perfected, or sent up to parliament to be framed into a law. Nothing can be alleged in excuse of this, but their backwardness to unite with the Scots, or the prospect the parliament might yet have of an agreement with the king.

The first point that came upon the carpet was the ordination of ministers; which was the more necessary, because the bishops refused to ordain any who were not† in the

* Lightfoot's Remains, in pref. p. 8.

† Bishop Hall complained, that he was violently restrained in his power of ordination. On this single instance Dr. Grey grounds a general assertion, that the bishops were prevented from ordaining by the rabble.—Ed.

interest of the crown: this gave occasion to inquire into the ancient right of presbyters to ordain without a bishop, which meeting with some opposition, the committee proposed a temporary provision till the matter should be settled, and offered these two queries:

First, "Whether in extraordinary cases, something extraordinary may not be admitted, till a settled order can be fixed, yet keeping as near to the rule as possible?

Secondly, "Whether certain ministers of this city may not be appointed to ordain ministers in the city and neighbourhood, for a certain time, *jure fraternitatis?*"

To the last of which, the Independents entered their dissent, unless the ordination was attended with the previous election of some church. New difficulties being continually started, upon this and some other heads, the Scots commissioners were out of all patience, and applied to the city-ministers to petition the parliament to call for the advice of the assembly. The petition was presented September 18, 1644, in which, having reminded the commons of their remonstrance, wherein they declare, it was not their intention to let loose the golden reins of discipline; and of ther national covenant, wherein they had engaged to the most high God, to settle a uniformity in the church; they add, "Give us leave, we beseech you, in pursuance of our national covenant, to sigh out our sorrows at the foot of this honourable senate. Through many erroneous opinions, ruinating schisms, and damnable heresies, unhappily fomented in this city and country, the orthodox ministry is neglected, the people are seduced, congregations torn asunder, families distracted, rights and duties of relations, national, civil, and spiritual, scandalously violated, the power of godliness decayed, parliamentary authority undermined, fearful confusions introduced, imminent destruction threatened, and in part inflicted upon us lately in the west. May it therefore please your wisdoms, as a sovereign remedy for the removal of our present miseries, and preventing their farther progress, to expedite a directory for public worship, to accelerate the establishment of a pure discipline and government, according to the word of God, and the example of the best reformed churches, and to take away all obstructions that may impede and retard our humble desires."* Upon this

* Rushworth, vol. 5. p. 780.

the assembly were ordered to send up their humble advice upon this head; which was to the following effect [September 22], viz. that in this present exigency, while there were no Presbyterians, yet it being necessary that ministers should be ordained for the army and navy, and for the service of many destitute congregations, by some who, having been ordained themselves, have power to join in the setting apart of others: they advise,

(1.) That an association of some godly ministers in and about the city of London be appointed by public authority, to ordain ministers for the city and the neighbouring parts, keeping as near to the rule as may be.

(2.) That the like associations be made by the same authority in great towns and neighbouring parishes in the several counties, which are at present quiet and undisturbed.

(3.) That such as are chosen, or appointed for the service of the army or navy, being well recommended, be ordained as aforesaid, by the associated ministers of London, or some others in the country; and the like for any other congregations that want a minister.*

According to this advice the two houses passed an ordinance, October 2, for the ordination of ministers *pro tempore*, which appoints the following ten persons, being presbyters, and members of the assembly, to examine and ordain, by imposition of hands, all those whom they shall judge qualified to be admitted into the sacred ministry, viz.

Dr. Cornelius Burges, assessor.	Dr. William Gouge.	Mr. John Ley.
Mr. George Walker.	Mr. Edmund Calamy.	Mr. Starkey Gower.
Mr. John Conant.	Mr. Humphrey Chambers.	Mr. Henry Roborough.
Mr. Daniel Cawdry.		

And the following thirteen being presbyters of the city of London, but not members of the assembly, viz.

Rev. Mr. John Downham.	Rev. Mr. Cha. Offspring.	Rev. Mr. Leon. Cooke.
Mr. Tim. Dod.	Mr. James Cranford.	Mr. Richard Lee.
Mr. Tho. Clendon.	Mr. Sam. Clarke.	Mr. Tho. Horton.
Mr. Em. Bourne.	Mr. Fulk Billers.	Mr. Arthur Jackson.
Mr. Fr. Roberts.		

And seven or more to be a quorum, and all persons so ordained to be reputed ministers of the church of England, sufficiently authorized for any office or employment therein, and capable of all advantages appertaining to the same. Their rules for examination, and trial of candidates, will be seen the next year, when this affair was fully settled. In

* Vol. Pamp. *penes me*, no. 68.

the meantime another ordinance passed the houses, for the benefit of the county of Lancaster, whereby the reverend Mr. Charles Herle, Mr. Richard Herrick, Mr. Hyet, Mr. Bradshaw, Mr. Isaac Ambrose, and others, to the number of twenty-one, had full power given them to ordain *pro tempore* in the county of Lancaster. And to obviate the reproaches of the Oxford divines, the following clause was added, "That if any person do publicly preach, or otherwise exercise any ministerial office, who shall not be ordained, or thereunto allowed by seven of the said ministers, their names shall be returned to both houses of parliament, to be dealt with as they in their wisdom shall think fit." It was voted farther, that "no minister be allowed to preach, unless he has a certificate of his ordination, or at least of his being examined and approved by the assembly."* And February 16, at a conference between the two houses it was agreed, that the assembly of divines be desired to admit none into their pulpits, except such whose doctrine they would be answerable for. Such was the concern of the parliament in these distracted times, to have a sober and well-regulated clergy.

Next to the providing for a succession of ministers by ordination, the assembly consulted about a form of public devotion. The old liturgy being laid aside, there were no public officers in the church: a committee was therefore appointed, October 17, 1643, to agree upon certain general heads, for the direction of the minister in the discharge of his office, which, having passed through the assembly, were sent into Scotland for the approbation of the general assembly, and then established by an ordinance of parliament bearing date January 3, 1644—5, under the title of "A directory for public worship."

The reasons which induced the parliament to discard the old liturgy, and form a new plan for the devotion of the church, I shall transcribe from their own preface. "It is evident (say they) after long and sad experience, that the liturgy used in the church of England, notwithstanding all the pains and religious intentions of the compilers, has proved an offence to many of the godly at home, and to the reformed churches abroad. The enjoining the reading all the prayers heightened the grievances; and the many unprofitable and

* Parliamentary Chronicle, p. 152.

burdensome ceremonies have occasioned much mischief, by disquieting the consciences of many, who could not yield to them. Sundry good people have by this means been kept from the Lord's table, and many faithful ministers debarred from the exercise of their ministry, to the ruin of them and their families. The prelates and their faction have raised their estimation of it to such a height, as if God could be worshipped no other way but by the service-book; in consequence of which the preaching of the word has been depreciated, and in some places entirely neglected.

"In the meantime the Papists have made their advantage this way, boasting that the Common Prayer-book came up to a compliance with a great part of their service; by which means they were not a little confirmed in their idolatry and superstition, especially of late, when new ceremonies were daily obtruded on the church.

"Besides, the liturgy has given great encouragement to an idle and unedifying ministry, who chose rather to confine themselves to forms made to their hands, than to exert themselves in the exercise of the gift of prayer, with which our Saviour furnishes all those whom he calls to that office.

"For these and many other weighty considerations, relating to the book in general, besides divers particulars which are a just ground of offence, it is thought advisable to set aside the former liturgy, with the many rites and ceremonies formerly used in the worship of God, not out of any affectation of novelty, nor with an intention to disparage our first reformers, but that we may answer in some measure the gracious providence of God, which now calls upon us for a farther reformation; that we may satisfy our own consciences; answer the expectations of other reformed churches; ease the consciences of many godly persons among ourselves; and give a public testimony of our endeavours after a uniformity in divine worship, pursuant to what we had promised in our solemn league and covenant."

It has been observed, that the Directory is not an absolute form of devotion, but, agreeably to its title, contains only some general directions, taken partly from the word of God, and partly from rules of Christian prudence; it points out the heads of public prayer, of preaching, and other parts of the pastoral function, leaving the minister a discretionary latitude to fill up the vacancies according to his abilities. It

is divided into several chapters, and being a book of a public nature, comprehending all the peculiarities of the Presbyterian reformation, I have given it a place in the appendix.* Mr Fuller observes,† that the Independents, in the assembly were hardly persuaded to consent to it, for fear of infringing the liberty of prayer, yet being admitted to qualify some things in the preface, they complied. The committee who composed the preface were Mr. Nye, Mr. Bridges, Mr. Burges, Mr. Thomas Goodwin, all Independents; Mr. Vines, Mr. Reynolds, Mr. Marshal, and Dr. Temple, with the Scots commissioners.

The Directory passed the assembly with great unanimity; those who were for set forms of prayer resolving to confine themselves to the very words of the Directory, whileo thers made use of them only as heads for their enlargement.

It may not be improper in this place to advise the reader of the following variations introduced into the service of the church upon this occasion. Instead of one prescribed form of prayer, the Directory only points out certain topics on which the minister might enlarge. The whole Apocrypha is rejected; private and lay baptism, with the use of godfathers and godmothers, and the sign of the cross, are discontinued.‡ In the sacrament of the Lord's supper no mention is made of private communion, or administering it to the sick. The altar with rails is changed into a coumunion-table, to be placed in the body of the church, about which the people might stand or sit, kneeling not being thought so proper a posture. The Presbyterians were for giving the power of the keys into the hands of the ministers and elders, as the Independents were to the whole brotherhood; but

* Appendix, no. 8. † Church History, b. 11. p. 222.

‡ Another variation, not noticed by Mr. Neal, was the exclusion of dipping, and declaring sprinkling to be sufficient. This was owing to Dr. Lightfoot. When the assembly came to the vote, whether the Directory should run thus, "The minister shall take water, and sprinkle or pour it with his hand upon the face or forehead of the child;" some were unwilling to have dipping excluded, so that the vote came to an equality within one; for the one side there being twenty-four, and for the other twenty-five. Next day the affair was resumed, when the doctor insisted on hearing the reasons of those who were for dipping. At length it was proposed, that it should be expressed thus: that "pouring on of water, or sprinkling, in the administration of baptism, is lawful and sufficient." Lightfoot excepted against the word "lawful," it being the same as if it should be determined lawful to use bread and wine in the Lord's supper; and he moved, that it might be expressed thus; "It is not only lawful, but also sufficient;" and it was put down so accordingly. Robinson's History of Baptism, p. 450, 451.—Ed.

Lightfoot, Selden, Colman, and others, were for an open communion, to whom the parliament were most inclinable, for all they would yield was, that "the minister immediately before the communion should warn, in the name of Christ, all such as are ignorant, scandalous, profane, or that live in any sin or offence against their knowledge or conscience, that they presume not to come to that holy table, shewing them, that he that eateth and drinketh unworthily, eateth and drinketh judgment to himself." The prohibition of marriage in Lent, and the use of the ring, are laid aside. In the visitation of the sick, no mention is made of private confession, or authoritative absolution. No service is appointed for the burial of the dead. All particular vestments for priests or ministers, and all saints' days, are discarded. It has been reckoned a considerable omission, that the Directory does not enjoin reading the Apostles' creed and the ten commandments; lord Clarendon reports,* that when this was observed in private conversation at the treaty of Uxbridge, the earl of Pembroke said, he was sorry for the omission, but that upon a debate in the house of commons, it was carried in the negative by eight or nine voices. Which made many smile, says his lordship; but the jest will be lost, when the reader is informed, that the question in the house was not, whether the creed should be received or rejected, but whether it should be printed with the Directory for worship; it being apprehended more proper for a confession of faith; and accordingly the creed and ten commandments were added to the assembly's confession, published a year or two forwards. The ordinance for establishing the Directory repeals and makes void the acts of Edward VI. and queen Elizabeth, by which the old liturgy was established, and forbids the use of it within any church, chapel, or place of public worship, in England or Wales, appointing the use of the Directory in its room; and thus it continued till the restoration of king Charles II. when the constitution being restored, the old liturgy took place again, the ordinance for its repeal having never obtained the royal assent.

It was a considerable time before this great revolution in the form of public worship took place over the whole kingdom. In some parts of the country the churchwardens could

* Clarendon, vol. 2. p. 588.

not procure a Directory, and in others they despised it, and continued the old Common Prayer-book; some would read no form, and others would use one of their own. In order therefore to give life to the Directory, the parliament next summer called in all Common Prayer-books, and imposed a fine upon those ministers who should read any other form than that contained in the Directory. The ordinance is dated August 23, 1645, and enacts, that "the knights and burgesses of the several counties of England and Wales, shall send printed books of the Directory fairly bound to the committee of parliament in their several counties, who shall deliver them to the officers of the several parishes in England and Wales, by whom they shall be delivered to the several ministers of each parish. It ordains farther, that the several ministers next Lord's day after their receiving the book of Directory, shall read it openly in their respective churches before morning sermon.——It then forbids the use of the Common Prayer-book in any church, chapel, or place of public worship, or in any private place or family, under penalty of *5l.* for the first offence, *10l.* for the second, and for the third a year's imprisonment. Such ministers as do not observe the Directory in all exercises of public worship shall forfeit *40s.*; and they who, with a design to bring the Directory into contempt, or to raise opposition to it, shall preach, write, or print, any thing in derogation of it, shall forfeit a sum of money not under *5l.* nor more than fifty, to be given to the poor. All Common Prayer-books remaining in parish-churches or chapels, are ordered within a month, to be carried to the committee of the several counties, to be disposed of as the parliament shall direct."*

These were the first-fruits of Presbyterian uniformity, and are equally to be condemned with the severities and oppressions of the late times; for though it should be admitted, that the parliament or legislature had a right to abrogate the use of the Common Prayer-book in churches, was it not highly unreasonable to forbid the reading it in private families or closets? Surely the devotion of a private family could be no disturbance to the public; nor is it any excuse to say, that very few suffered by it, because the law is still the same, and equally injurious to the natural rights of mankind.

* Rushworth, part 4. vol. 1. p. 205.

Though his majesty's affairs were very desperate after the battle of Naseby, yet he had the courage to forbid the use of the new Directory, and enjoin the continuance of the Common Prayer, by a proclamation from Oxford, dated November 13, 1645, in which his majesty takes notice, that "the Book of Common Prayer, being a most excellent form of worship, grounded on the Holy Scriptures, is a great help to devotion, and tends to preserve a uniformy in the church of England; whereas the Directory gives liberty to ignorant, factious, and evil men, to broach their own fancies and conceits, and utter those things in their long prayers which no conscientious man can assent to; and be the minister never so pious, it breaks in upon the uniformity of public service. And whereas this alteration is introduced by an ordinance of parliament, inflicting penalties on offenders, which was never pretended to be in their power without our consent: now, lest our silence should be interpreted as a connivance in a matter so highly concerning the worship of God, and the established laws of the kingdom, we do therefore require and command all ministers in all cathedral and parish churches, and all other places of public worship, that the said Book of Common Prayer be kept and used in all churches, chapels, &c. according to the statute *primo* Eliz. and that the Directory be in no sort admitted, received, or used; and whensoever it shall please God to restore us to peace, and the laws to their due course, we shall require a strict account, and prosecution against the breakers of the said law. And in the meantime, in such places where we shall come and find the Book of Common Prayer suppressed and laid aside, and the Directory introduced, we shall account all those that are aiders, actors, or contrivers therein, to be persons disaffected to the religion and laws established."*

His majesty likewise issued out warrants under his own hand, to the heads of the university, commanding them to read divine service as usual, morning and evening; and assured his peers at Oxford, that he was still determined to live and die for the privileges of his crown, his friends, and church-government.

About this time the Anabaptists [or more properly, Antipædobaptists] began to make a considerable figure, and

* Rushworth, part 4. vol. 1. p. 207.

spread themselves into several separate congregations. We have already distinguished the German Anabaptists from the English, who differed only from their Protestant brethren about the subject and mode of baptism; these were divided into general and particular, from their different sentiments upon the Arminian controversy; the former appeared in Holland, where Mr. Smith their leader published a confession of faith in the year *1611*, which Mr. Robinson, the minister of the Independent congregation at Leyden, answered in 1614; but the severity of those times would not admit them to venture into England. The particular Baptists were strict Calvinists, and were so called from their belief of the doctrines of particular election, redemption, &c. They separated from the Independent congregation about the year 1638, and set up for themselves under the pastoral care of Mr. Jesse, as has been related; and having renounced their former baptism, they sent over one of their number [Mr. Blunt] to be immersed by one of the Dutch Anabaptists of Amsterdam, that he might be qualified to baptize his friends in England after the same manner.* A strange and unaccountable conduct! for unless the Dutch Anabaptists could derive their pedigree in an uninterrupted line from the apostles, the first reviver of this usage must have been unbaptized, and, consequently, not capable of communicating the ordinance to others. Upon Mr. Blunt's return he baptized Mr. Blacklock, a teacher, and Mr. Blacklock dipped the rest of the society, to the number of fifty-three, in this present year 1644. "Presuming upon the patience of the state (says Dr. Featly) they have rebaptized one hundred men and women together, in the twilight, in rivulets, and some arms of the Thames, and elsewhere, dipping them over head and ears. They have printed divers pamphlets in defence of their heresy (says the same author), and challenged some of our preachers to a disputation." Nay, so wonderfully did this opinion prevail, that there were no less than forty-seven congregations in the country, and seven in London at this time, who published a confession of their faith, signed in the name of their congregations, by William Kiffin, Thomas Patience, George Tipping, John Spilsbury, Thomas Sheppard, Thomas Munden, Thomas Gun, John Mabbett, John Webb, Thomas Kilcop, Paul

* MS. *penes me.*

Hobson, Thomas Gore, John Philips, and Edward Heath. In the year 1646, it was reprinted, with the additional names of Dennis le Barbier and Christopher Durell, ministers of the French congregation in London, of the same judgment.

Their confession consisted of fifty-two articles, and is strictly Calvinistical in the doctrinal part, and according to the Independent discipline; it confines the subject of baptism to grown Christians, and the mode to immersion; it admits of gifted lay-preachers, and acknowledges a due subjection to the civil magistrate in all things lawful; and concludes thus, "We desire to live quietly and peaceably, as become saints, endeavouring in all things to keep a good conscience, and to do to every man, of what judgment soever, as we would they should do to us; that as our practice is, so it may prove us to be a conscionable, quiet, and harmless people (no way dangerous or troublesome to human society), and to labour to work with our hands, that we may not be chargeable to any, but to give to him that needeth, both friend and enemy, accounting it more excellent to give than to receive. Also we confess, that we know but in part, to shew us from the word of God, that which we see not, we shall have cause to be thankful to God and them. But if any man shall impose upon us any thing that we see not to be commanded by our Lord Jesus Christ, we should, in his strength, rather embrace all reproaches and tortures of men; to be stripped of all our outward comforts, and, if it were possible, to die a thousand deaths, rather than to do any thing against the truth of God, or against the light of our own consciences. And if any shall call what we have said heresy, then do we with the apostle acknowledge, that after the way they call heresy so worship we the God of our fathers; disclaiming all heresies (rightly so called) because they are against Christ; and in desiring to be steadfast and immovable, always abounding in obedience to Christ, as knowing our labour shall not be in vain in the Lord."

When Dr. Featly had read this confession, he owned they were neither heretics nor schismatics, but tender-hearted Christians, upon whom, through false suggestions, the hand of authority had fallen heavy whilst the hierarchy stood.

The advocates of this doctrine were, for the most part, of the meanest of the people; their preachers were generally

illiterate, and went about the country making proselytes of all who would submit to immersion, without a due regard to their acquaintance with the principles of religion, or their moral characters. The writers of these times represent them as tinctured with a kind of enthusiastic fury against all that opposed them. Mr. Baxter says,* "There were but few of them that had not been the opposers and troublers of faithful ministers——That in this they strengthened the hands of the profane, and that, in general, reproach of ministers, faction, pride, and scandalous practices, were fomented, in their way."† But still there were among them some learned, and a great many sober and devout Christians, who disallowed of the imprudence of their country friends. The two most learned divines that espoused their cause were Mr. Francis Cornwall, M. A. of Emanuel-college, and Mr. John Tombes, B. D. educated in the university of Oxford, a person of incomparable parts, well versed in the Greek and Hebrew languages, and a most excellent disputant. He wrote several letters to Mr. Selden against infant-baptism, and published a Latin exercitation upon the same subject, containing several arguments, which he represented to the committee appointed by the assembly to put a stop to the progress of this opinion. The exercitation being translated into English, brought upon him a whole army of adversaries, among whom were the reverend Dr. Hammond, Dr. Holmes, Mr. Marshal, Fuller, Geree, Baxter, and others. The people of this persuasion were more exposed to the public resentments, because they would hold communion with none but such as had been dipped. All must pass under this cloud before they could be received into their churches; and the same narrow spirit prevails too generally among them even at this day.

Besides the above-mentioned writers, the most eminent

* Baxter's Life, p. 102. 144.

† We refer the reader, for a *more full* account of the Baptists of this period, to the supplement in vol. 5, where *their* history will be given in greater detail, and continued without interruption. Suffice it to say here, that Mr. Baxter, great and excellent as he was, had his weaknesses and prejudices, for which much allowance must be made. Severe as is what he says above of the Baptists, he speaks of them, at other times, with more candour and respect. As p. 140 of his Life: "For the Anabaptists themselves (though I have written and said so much against them), as I found most of them were persons of zeal in religion, so many of them were sober, godly people: and differed from others but in the point of infant-baptism; or at most in the points of predestination, and free-will, and perseverance." It is to be regretted, on the ground of the justice due to this people and even to Mr. Baxter, that Mr. Neal should have overlooked or omitted this testimony, so honourable to both.—Ed.

divines in the city of London, as Mr. Vines, Calamy, and others, preached vigorously against these doctrines, which they had a right to do; though it was most unjustifiable to fight them at the same time with the sword of the civil magistrate,* and shut them up in prison, as was the case of several in this and the following year, among whom are reckoned the reverend Mr. Henry Denn, formerly ordained by the bishop of St. David's, and possessed of the living of Pyeton in Hertfordshire; Mr. Coppe, minister in Warwickshire, and sometime preacher to the garrison in Compton-house; Mr. Hanserd Knollys, who was several times before the committee for preaching Antinomianism and Antipædobaptism; and being forbid to preach in the public churches, he opened a separate meeting in Great St. Helen's, from whence he was quickly dislodged, and his followers dispersed. Mr. Andrew Wyke, in the county of Suffolk, was imprisoned on the same account; and Mr. Oates in Essex tried for his life at Chelmsford assizes for the murder of Anne Martin, because she died a few days after her immersion of a cold that seized her at that time. Lawrence Clarkson was imprisoned by the committee of Suffolk, and having lain in jail six months, signed a recantation, and was released. The recantation,† as entered in the committee's books, was in these words:

"July 15, 1645.

"This day Lawrence Clarkson, formerly committed for an Anabaptist, and for dipping, does now, before the committee, disclaim his errors. And whereas formerly he said he durst not leave his dipping, if he might gain all the com-

* Nothing, it is justly observed by Mr. Crosby, is more evident, than that the most distinguished of the Presbyterian divines preached and wrote against toleration; and were strenuous advocates for the interference of the civil power to suppress what they deemed error. Mr. Baxter always freely avowed, that "he abhorred unlimited liberty, or toleration of all." Dr. Lightfoot informed the house of commons, in a sermon at St. Margaret's, Westminster, that though "he would not go about to determine whether conscience might be bound or not, yet certainly the devil in the conscience might be given, must be bound by the civil magistrate." Crosby's History of the English Baptists, vol. 1. p. 176. 178. Robinson's History of Baptism, p. 151. —Ed.

† Every instance of a recantation, which ecclesiastical history furnishes, moves our pity, and excites our indignation; our pity of the weakness and timidity from which it flows; and our indignation at the spirit of intolerance, which can demand the sacrifice of principle and integrity. "Mr. Clarkson had not only been imprisoned six months, but all the intercession of his friends, though he had several, could not procure his release. The committee were unrelenting. Nay; though an order came down, either from a committee of parliament, or the chairman of it, to discharge him, yet they refused to obey it." Crosby's History of English Baptists, vol. 1. preface, p. 16. —Ed.

mittee's estates, now he says, that he by the Holy Scriptures is convinced, that his said opinions were erroneous, and that he will not, nor dares not practise it again, if he might gain all the committee's estates by doing it. And that he makes this recantation not for fear, or to gain his liberty, but merely out of a sense of his error, wherein he will endeavour to reform others."

It must be granted, that the imprudent behaviour of the Baptist lay-preachers, who declaimed against human literature and hireling priests, crying down magistracy and a regular ministry, and talking in the most exalted strains of a fifth monarchy, and king Jesus, prejudiced the minds of many sober people against them; but still the imprisoning men merely on account of religious principles, not inconsistent with the public peace, nor propagated in a riotous and tumultuous manner, is not to be justified on any pretence whatsoever; and it was the more inexcusable in this case, because Mr. Baxter admits,* that the Presbyterian zeal was in a great measure the occasion of it.

Before we leave the assembly for this year, it will be proper to take notice, that it was honoured with the presence of Charles Lewis, elector-palatine of the Rhine, eldest son of Frederick, &c. king of Bohemia, who married king James's daughter, and lost his territories by the fatal battle of Prague in 1619. The unhappy Frederick died in 1632, and left behind him six sons and five daughters, among whom were prince Rupert, prince Maurice, and the princess Sophia. The young elector and his mother often solicited the English court for assistance to recover their dominions, and were as often complimented with empty promises. All the parliaments of this reign mention with concern the calamitous condition of the queen of Bohemia and her children, and offer to venture their lives and fortunes for the recovery of the Palatinate, but king Charles I. did not approve his sister's principles, who, being a resolved Protestant, had been heard to say, if we may believe L'Estrange, that rather than have her son bred up in idolatry at the emperor's court, she had rather be his executioner. And Mr. Echard adds,† that the birth of king Charles II. in the year 1630, gave no great joy to the Puritans, because as one of them declared, "God had already

* Baxter's Life, p. 103. † History, p. 449.

provided for them in the family of the queen of Bohemia, who were bred up in the Protestant religion, while it was uncertain what religion king Charles's children would follow, being to be brought up by a mother devoted to the church of Rome." When the war broke out between the king and parliament, the elector's younger brothers, Rupert and Maurice, served the king in his army, but the elector himself being in Holland took the covenant, and by a letter to the parliament testified his approbation of the cause in which they were engaged. This summer he made a tour to England, and was welcomed by a committee of the two houses, who promised him their best advice and assistance; to whom the prince made the following reply:

"I hold myself much obliged to the parliament for their favours, and my coming is to express in person what I have often done by letter, my sincere affections to them, and to take off such jealousies, as either the actions of some of my relations, or the ill effects of what my enemies might by my absence cast upon me. My wishes* are constant for the good success of the great work you have undertaken, for a thorough reformation; and my desires are to be ruled and governed by your grave counsels."†

The parliament ordered an apartment to be fitted up for the prince at Whitehall, and voted him 8,000*l.*‡ a year for his maintenance, and 10,000*l.* for his royal mother, till he should be restored to his electorate.§ While he stayed here, he frequently attended the assembly in their debates, and after some time had a pass for himself and forty horse into the Low Countries. His sister princess Sophia afterward married the duke of Brunswick and Hanover, whose son, upon the decease of queen Anne, succeeded to the crown of Great Britain, by the name of George I.; the numerous posterity of king Charles I. being set aside as Papists, and thus the descendants of the queen of Bohemia, electress-palatine, and daughter of king James I. came to inherit the imperial crown of these kingdoms, as a reward

* Bishop Warburton thinks it apparent, from many circumstances, that the elector had his eye on the crown: matters being gone too far for the king and parliament ever to agree.—Ed.

† Oldmixon's History of the Stuarts, p. 268.

‡ It was ordered October 1645, but Dr. Grey quotes an authority to prove that it was ill paid. Vol. 2. Appendix, no. 50.—Ed.

§ Oldmixon's History of the Stuarts, p. 279.

for their firmness to the Protestant religion :—and may the same illustrious family continue to be the guardians of our liberties, both sacred and civil, to the end of time!

Religion was the fashion of the age: the assembly was often turned into a house of prayer, and hardly a week passed without solemn fasting and humiliation, in several of the churches of London and Westminster; the laws against profaneness were carefully executed; and because the former ordinances for the observation of the Lord's day had proved ineffectual, it was ordained, April 6, that all persons should apply themselves to the exercise of piety and religion on the Lord's day, "that no wares, fruits, herbs, or goods of any sort, be exposed to sale, or cried about the streets, upon penalty of forfeiting the goods. That no person without cause shall travel, or carry a burden, or do any worldly labour, upon penalty of ten shillings for the traveller, and five shillings for every burden.* That no person shall, on the Lord's day, use, or be present at, any wrestling, shooting, fowling, ringing of bells for pleasure, markets, wakes, church-ales, dancing, games, or sports whatsoever, upon penalty of five shillings to every one above fourteen years of age. And if children are found offending in the premises, their parents or guardians to forfeit twelvepence for every offence. That all May-poles be pulled down, and none others erected. That if the several fines above mentioned cannot be levied, the offending party shall be set in the stocks for the space of three hours. That the king's declaration concerning lawful sports on the Lord's day be called in, suppressed, and burnt.

"This ordinance shall not extend to prohibit dressing meat in private families, or selling victuals in a moderate way in inns or victualling-houses, for the use of such who cannot otherwise be provided for; nor to the crying of milk before nine in the morning, or after four in the afternoon."†

The solemn league and covenant was in such high repute at this time,‡ that by an order of the house of commons, January 29, 16$\frac{3}{4}$, it was appointed, "that, on every fast-day and day of public humiliation, the covenant should be

* "And for every offence in doing any worldly labour or work."—Ed.

† Sobel's Collect. p. 68.

‡ Dr. Grey gives various passages from the sermons of the day to prove in what extravagant estimation it was held, and to shew what high encomiums were passed on it.—Ed.

publicly read in every church and congregation within the kingdom; and that every congregation be enjoined to have one of the said covenants fairly printed, in a fair letter, in a table fitted to hang up in some public place of the church to be read." Which was done accordingly, and they continued there till the restoration.*

But that which occasioned the greatest disturbance over the whole nation, was an order of both houses relating to Christmas-day. Dr. Lightfoot says, the London ministers met together last year to consult whether they should preach on that day; and one of considerable name and authority opposed it, and was near prevailing with the rest, when the doctor convinced them so far of the lawfulness and expediency of it, that the question being put it was carried in the affirmative with only four or five dissenting voices. But this year it happening to fall on the monthly fast, so that either the fast or the festival must be omitted, the parliament, after some debate, thought it most agreeable to the present circumstances of the nation to go on with fasting and prayer; and therefore published the following order:

"*Die Jovis* 19 Dec. 1644.

"Whereas some doubts have been raised, whether the next fast shall be celebrated, because it falls on the day which heretofore was usually called the feast of the nativity of our Saviour; the lords and commons in parliament assembled do order and ordain, that public notice be given, that the fast appointed to be kept the last Wednesday in every month ought to be observed, till it be otherwise ordered by both houses; and that this day in particular is to be kept with the more solemn humiliation, because it may call to remembrance our sins, and the sins of our forefathers, who have turned this feast, pretending the memory of Christ, into an extreme forgetfulness of him, by giving liberty to carnal and sensual delights, being contrary to the life which Christ led here on earth, and to the spiritual life of Christ in our souls, for the sanctifying and saving whereof, Christ was pleased both to take a human life, and to lay it down again."†

The royalists raised loud clamours on account of the sup-

* Lond. Min. Testimony to the Truth of Jesus Christ, p. 26.
† Rushworth, vol. 5. p. 817.

posed impiety and profaneness of this transaction, as what had never before been heard of in the Christian world, though they could not but know, that this, as well as other festivals, is of ecclesiastical appointment;* that there is no mention of the observation of Christmas in the first or second age of Christianity; that the kirk of Scotland never observed it since the Reformation, except during the short reign of the bishops, and do not regard it at this day. Some of the most learned divines among the Presbyterians, as well as Independents, were in this sentiment. Mr. Edmund Calamy, in his sermon before the house of lords on this day, has these expressions: "This day is commonly called Christmas-day, a day that has heretofore been much abused to superstition and profaneness. It is not easy to say, whether the superstition has been greater, or the profaneness. I have known some that have preferred Christmas-day before the Lord's day; some that would be sure to receive the sacrament on Christmas-day, though they did not receive all the year after. Some thought, though they did not play at cards all the year long, yet they must play at Christmas, thereby it seems, to keep in memory the birth of Christ. This, and much more, hath been the profanation of this feast; and truly, I think the superstition and profaneness of this day are so rooted into it, that there is no way to reform it, but by dealing with it as Hezekiah did with the brazen serpent. This year, God, by his providence, has buried this feast in a fast, and I hope it will never rise again. You have set out, right honourable, a strict order for keeping of it, and you are here this day to observe your own order, and I hope you will do it strictly. The necessities of the times are great, never more need of prayer and fasting. The Lord give us grace to be humbled in this day of humiliation, for all our own and England's sins, and especially for the old superstition and profaneness of this feast."

About Midsummer this year died doctor Thomas Westfield bishop of Bristol, born in the isle of Ely 1573, educated in Jesus-college, Cambridge, and afterward rector of Hornsey, and of St. Bartholomew the Great, London, and archdeacon of St. Alban's. In the year 1641, he was advanced to the see of Bristol, which he accepted, though he

* Dr. Grey says, that the observation of Christmas was appointed by statute 5 and 6 Edward VI. c. 3.—Ed.

had refused it, as is said, twenty-five years before.* He was a gentleman of great modesty, a good preacher, an excellent orator. The parliament had such an esteem for him, that they named him one of the assembly of divines, and he had the goodness to appear among them for some time. Upon the bishop's complaint, that the profits of his bishoprick were detained, the committee ordered them to be restored, and gave him a pass to go to Bristol to receive them, wherein they style him a person of great learning and merit. He died in possession of his bishoprick, June 25, 1644, aged seventy-one, and composed his own epitaph, one line of which was,

Senio et mœrore confectus.
Worn out with age and grief.

And another;

Episcoporum infimus, peccatorum primus.
The least of bishops, the greatest of sinners.

Dr. Calibute Downing was born of an ancient family in Gloucestershire, about 1616; he was educated in Oriel-college, Oxford, and at length became vicar of Hackney near London, by the procurement of archbishop Laud; which is very strange, if, as Mr. Wood says, he always looked awry on the church. In his sermon before the Artillery-company, September 1, 1640, he maintained, that for the defence of religion and reformation of the church, it was lawful to take up arms against the king, if it could be obtained no other way. For this he was forced to abscond till the beginning of the present parliament. He was afterward chaplain in the earl of Essex's army, and a member of the assembly of divines; but died before he was forty years of age, having the character of a pious man, a warm preacher, and very zealous in the interest of his country.

CHAP. V.

ABSTRACT OF THE TRIAL OF ARCHBISHOP LAUD, AND OF THE TREATY OF UXBRIDGE.

Next day, after the establishment of the Directory, Dr. William Laud, archbishop of Canterbury, received sentence

* Walker's Sufferings of the Clergy, p. 3.

of death. He had been a prisoner in the Tower almost three years, upon an impeachment of high treason by the house of commons, without once petitioning for a trial, or so much as putting in his answer to the articles; however, as soon as the parliament had united with the Scots, it was resolved to gratify that nation by bringing him to the bar; accordingly, serjeant Wild was sent up to the house of lords, October 23, with ten additional articles of high treason, and other crimes and misdemeanours; and to pray, that his grace might be brought to a speedy trial. We have already recited the fourteen original articles under the year 1640. The additional ones were to the following purpose:

1. "That the archbishop had endeavoured to destroy the use of parliaments, and to introduce an arbitrary government.

2. "That for ten years before the present parliament, he had endeavoured to advance the council-table, the canons of the church, and the king's prerogative, above law.

3. "That he had stopped writs of prohibition to stay proceedings in the ecclesiastical courts, when the same ought to have been granted.

4. "That he had caused sir John Corbet to be committed to the Fleet for six months, only for causing the petition of right to be read at the sessions.

5. "That judgment having been given in the court of King's-bench against Mr. Burley, a clergyman of a bad character, for nonresidence, he had caused the judgment to be stayed, saying he would never suffer judgment to pass upon any clergyman by *nihil dicit*.

6. "That large sums of money having been contributed for buying in impropriations, the archbishop had caused the feoffments to be overthrown into his majesty's exchequer, and by that means suppressed the design.

7. "That he had harboured and relieved divers Popish priests, contrary to law.

8. "That he had said at Westminster there must be a blow given to the church, such as had not been given, before it could be brought to conformity, declaring thereby his intention to alter the true Protestant religion established in it.

9. "That after the dissolution of the last parliament, he had caused a convocation to be held, in which sundry canons

were made contrary to the rights and privileges of parliament, and an illegal oath imposed upon the clergy, with certain penalties, commonly known by the *et cætera* oath.

10. "That upon the abrupt dissolving of the short parliament 1640, he had told the king, he was now absolved from all rules of government, and at liberty to make use of extraordinary methods for supply."*

I omit the charge of the Scots commissioners, because the archbishop pleaded the act of oblivion.

The lords ordered the archbishop to deliver in his answer in writing to the above-mentioned articles in three weeks, which he did, taking no notice of the original ones.† The trial was put off from time to time, at the request of the prisoner, till September 16, when the archbishop appearing at the bar, and having kneeled some time, was ordered to stand, and one of the managers for the commons moved the lords, that their articles of impeachment, with the archbishop's answer, might be read; but when the clerk of the house had read the articles, there was no answer to the original ones. Upon which serjeant Maynard rose up and observed, "how unjust the archbishop's complaints of his long imprisonment, and of the delay of his hearing, must be, when in all this time he had not put in his answer to their original articles, though he had long since council assigned him for that purpose. That it would be absurd in them to proceed on the additional articles, when there was no issue joined on the original ones; he therefore prayed, that the archbishop might forthwith put in his answer to all their articles, and then they should be ready to confirm their charge whenever their lordships should appoint."

The archbishop says, the lords looked hard one upon another, as if they would ask where the mistake was, he himself saying nothing, but that his answer had not been called for.‡ His grace would have embarrassed them farther, by desiring them to hear his council, whether the articles were certain and particular enough to receive an answer. He moved likewise, that if he must put in a new answer, his former might be taken off the file; and that they would please to distinguish which articles were treason, and which

* Prynne's Complete History of the Trial of Archbishop Laud, p. 36.
† Ibid. p. 45.
‡ Wharton's History of Archbishop Laud's Troubles, p. 214, 215.

misdemeanour. But the lords rejected all his motions, and ordered him to put in his peremptory answer to the original articles of the commons by the 22d instant, which he did accordingly, to this effect:

"As to the 13th article, concerning the troubles in Scotland, and all actions, attempts, assistance, counsel, or device, relating thereto, this defendant pleadeth the late act of oblivion, he being none of the persons excepted by the said act, nor are any of the offences charged upon this defendant excepted by the said act.

"And as to all the other articles, both original and additional, this defendant saving to himself all advantages of exception to the said articles, humbly saith, that he is not guilty of all or any the matters, by the said articles charged, in such manner and form as the same are by the said articles charged against him."

The trial was deferred all the month of February, as the archbishop insinuates, because Mr. Prynne was not ready with his witnesses. When it came on, lord Grey of Werk, speaker of the house of lords, was appointed president; but the archbishop complains, that there were seldom more than sixteen or eighteen peers at a time. The managers for the commons were, Mr. Serjeant Wild, and Mr. Maynard, Mr. Brown, Mr. Nicolas, and Mr. Hill, whom the archbishop calls *consul bibulus*, because he said nothing; their solicitor was Mr. Prynne, the archbishop's grand enemy. His grace's counsel were, Mr. Hern, Mr. Hales, Mr. Chute, Mr. Gerard; and his solicitor was his own secretary, Mr. Dell. The trial was depending almost five months, in which time the archbishop was heard twenty days, with as much liberty and freedom of speech as could be reasonably desired. When he complained of the seizure of his papers, the lords ordered him a copy of all such as were necessary for his defence; and when he acquainted them, that by reason of the sequestration of his estate, he was incapable of feeing his counsel, they moved the committee of sequestrations in his favour, who ordered him 200*l*. His counsel had free access to him at all times, and stood by to advise him during the whole of his trial.

The method of proceeding was this; the archbishop had three or four days' notice of the day of his appearance, and of the articles they designed to proceed on; he was brought

to the bar about ten in the morning, and the managers were till one making good their charge; the house then adjourned till four, when the archbishop made his defence, after which one of the managers replied, and the archbishop returned to the Tower between seven and eight of the clock in the evening.

It is unhappy that this remarkable trial, which contains the chief heads of controversy between the Puritans and the hierarchy, was not published by order of the house of peers, that the world might have seen the arguments on both sides in their full strength. Mr. Prynne, by order of the house of commons, has given us their evidence to that branch of the charge which relates to religion, and the archbishop has left behind him his own defence on every day's hearing, mixed with keen and satirical reflections on his adversaries; but these being detached performances, I have endeavoured to reduce the most material passages into a proper method, without confining myself to the exact order of time in which the articles were debated.

All the articles may be reduced to these three general heads.

First, "That the archbishop had traitorously attempted and endeavoured to subvert the rights of parliament, and to exalt the king's power above law.

Secondly, "That he had traitorously endeavoured to subvert the fundamental temporal laws and government of the realm of England, and to introduce an arbitrary government against law and the liberties of the subject.

Thirdly, "That he had traitorously endeavoured, and practised, to alter and subvert God's true religion by law established in this realm, and instead thereof to set up Popish superstition and idolatry, and to reconcile us to the church of Rome."

The trial began March 12, 1643—4, when Mr. Serjeant Wild, one of the managers of the house of commons, opened the impeachment with a smart speech, in which he stated and aggravated the several crimes charged upon the archbishop, and concluded with comparing him to Naaman the Syrian, who was a great man, but a leper.

The archbishop, in his reply, endeavours to wipe off the aspersions that were cast upon him, in a laboured speech which he held in his hand. He says, "It was no less than

a torment to him to appear in that place, and plead for himself on that occasion, because he was not only a Christian but a clergyman, and by God's grace advanced to the greatest place this church affords. He blessed God that he was neither ashamed to live, nor afraid to die; that he had been as strict an observer of the laws of his country, both in public and private, as any man whatsoever; and as for religion, that he had been a steady member of the church of England as established by law, which he had endeavoured to reduce to decency, uniformity, and beauty, in the outward face of it; but he had been as far from attempting any alterations in favour of Popery, as when his mother first bore him into the world; and let nothing be spoken but truth (says he), and I do here challenge whatsoever is between heaven and hell, that can be said against me in point of my religion, in which I have ever hated dissimulation."* He then concludes with a list of twenty-one persons whom he had converted from Popery to the Protestant religion.

It was observed by some, that if the passionate expressions in this speech had been a little qualified, that they would have obtained more credit with his grace's judges;† but as they were pronounced, were thought hardly fit for the mouth of one who lay under the weight of so many accusations from the representative body of the nation.

The next day [March 13], the managers for the commons began to make good the first branch of their charge, to the following purpose, viz.

"That the archbishop had traitorously attempted to subvert the rights of parliament, and to exalt the king's power above the laws."

In support of which they produced, (1.) a passage out of his own Diary, December 5, 1639. "A resolution was voted at the board to assist the king in extraordinary ways, if (says he) the parliament should prove peevish and refuse."

The archbishop replied, that this was the vote of the whole council-table, of which he was only a single member,

* Wharton's History of Archbishop Laud's Troubles, p. 223.

† Dr. Grey thinks that the severest expressions were justifiable in answer to so foul-mouthed an impeacher as serjeant Wild, and that there was nothing in the bishop's speech unbecoming that great prelate to speak, or that assembly to hear.—Ed.

and therefore could not be called his counsel. Besides, the words had relation to the troubles of Scotland, and are therefore included in the act of oblivion.

2. "They produced another expression in one of the archbishop's papers under his own hand, in the beginning of which he says, that magna charta had an obscure birth, and was fostered by an ill nurse."*

The archbishop replied, that it was no disgrace to magna charta to say it had an obscure birth; our histories confirm the truth of it, and some of our law-books of good account use almost the same expressions; and shall the same words be history and law in them, and treason in me?†

3. They averred, "that he had said in council, that the king's proclamation was of as great force as an act of parliament; and that he had compared the king to the stone spoken of in the gospel, that whosoever falls upon it shall be broken, but upon whomsoever it falls it will grind him to powder."

The archbishop replied, that this was in the case of the soap business, twelve years ago; and thinks it impossible those words should be spoken by him; nor does he apprehend the gentlemen who press this evidence can believe it themselves, considering they are accusing him as a cunning delinquent. So God forgive these men the falsehood and malice of their oaths (says he!) but as to the allusion to the stone in the Scripture, if I did apply it to the king, it was far enough from treason, and let them and their like take care, lest it prove true upon themselves, for Solomon says, "The anger of a king is death."‡

4. In farther maintenance of this part of their charge, the managers produced "two speeches which his grace framed for the king to be spoken to the parliament; and his majesty's answer to the remonstrance of the house of commons in the year 1628, which was all written with the archbishop's own hand, and these words endorsed by himself, 'My answer to the parliament's remonstrance.' In which papers were sundry passages tending to set up an absolute power in the king, and to make the calling of parliaments in a manner useless. The king is made to say, that his power is only from God, and to him only he is accountable for his actions; that never king was more jealous

* Laud's History, p. 229—231. † Ibid. p. 409. ‡ Ibid. p. 234.

of his honour, or more sensible of the neglect and contempt of his royal rights. His majesty bids the commons remember, that parliaments are altogether in his power, for their calling, sitting, and dissolution; and that according as they behaved themselves they should continue, or not be. When some of the members of parliament had spoken freely against the duke of Buckingham, they were by the king's command sent to the Tower; and his majesty coming to the house of peers, tells them, that he had thought fit to punish some insolent speeches lately spoken against the duke, for I am so sensible of all your honours (says he), that he that touches any of you, touches me in a very great measure. Farther, when the parliament was dissolved in the year 1628, a proclamation was published, together with the above-mentioned remonstrance, in which his majesty declares, that since his parliament was not so dutiful as they ought to be, he was resolved to live without them, till those who had interrupted his proceedings should receive condign punishment, and his people come to a better temper; and that in the meantime, he would exact the duties that were received by his father, which his now majesty neither could nor would dispense with."*

The archbishop replied, that he did indeed make the above-mentioned speeches, being commanded to the service, and followed his instructions as close as he could. As for the smart passages complained of, he hopes they will not be thought such, when it is considered whose mouth was to utter them, and upon what occasion. However, if they be, he is heartily sorry for them, and humbly desires they may be passed by. The answer to the remonstrance was drawn by his majesty's command, as appears by the endorsement; and the severe passages objected to were in his instructions. When a parliament errs, may not their king tell them of it? Or must every passage in his answer be sour that pleases not?†

The managers proceeded to produce some other passages tending more immediately to subvert the rights of parliament, and among others, they insisted on these three:

1. "That the archbishop had said at the council-table, after the ending of the late parliament, that 'now the king

* King's Speeches, March 27, 29, and May 11.
† Laud's Hist. p. 230. 403, 404. 406.

might make use of his own power.' This was attested by sir Harry Vane the elder, who was a privy-counsellor, and then present."

The archbishop replied, that he did not remember the words; that if he did speak them they were not treasonable; or if they were, he ought to have been tried within six months, according to the statute 1 Eliz. cap. 6. That sir Henry Vane was only a single witness, whereas the law requires two witnesses for treason: besides, he conceived that this advice relating to the Scottish troubles was within the act of oblivion, which he had pleaded. But last of all, let it be remembered, says the archbishop, for sir Harry's honour, that he being a man in years, has so good a memory, that he alone can remember words spoken at a full council-table, which no person of honour remembers save himself; but I would not have him brag of it, for I have read in St. Austin, that some, even the worst of men, have great memories, and so much the worse for having them. God bless sir Henry!*

2. The archbishop had affirmed, "that the parliament might not meddle with religion, without the assent of the clergy in convocation. Now if this were so, say the managers, we should have had no reformation, for the bishops and clergy dissented."

The archbishop in his reply cited the statute 1 Eliz. cap. 1, which says, that "what is heresy shall be determined by the parliament, with the assent of the clergy in convocation," from whence he concluded, the parliament could not by law determine the truth of doctrine without the assent of the clergy; and to this the managers agreed, as to the point of heresy, but no farther. The archbishop added, that, in his opinion, it was the prerogative of the church alone to determine truth and falsehood, though the power of making laws for the punishment of erroneous persons was in the parliament with the assent of the clergy.† Indeed the king and parliament may, by their absolute power, change Christianity into Turkism if they please, and the subjects that cannot obey must fly, or endure the penalty of the law; but of right they cannot do this without the church. Thus the parliament, in the beginning of queen Elizabeth's reign, by absolute power abolished Popish superstition;

* Laud's History, p. 231. † Ibid. p. 401.

but when the clergy were settled, and a form of doctrine was to be agreed on, a synod was called 1562, and the articles of religion were confirmed by parliament, with the assent of the clergy, which gave all parties their just right, as is so evident, that the heathens could see the justice of it, for Lucullus says in Tully, that the priests were judges of religion, and the senate of the law.

3. "At a reference between Dr. Gill, schoolmaster of St. Paul's and the Mercers' company, the archbishop had said, that the company could not turn him out of the school, without consent of his ordinary; and that upon mention of an act of parliament, he replied, 'I see nothing will down with you but acts of parliament, no regard at all to the canons of the church; but I will rescind all acts that are against the canons, and I hope shortly to see the canons and the king's prerogative of equal force with an act of parliament.'"

The archbishop was so provoked with the oath of the witness who gave this in evidence [Mr. Samuel Blood], that he was going to bind his sin on his soul, not to be forgiven him, till he should ask him forgiveness;* but he conquered his passion, and replied, that since by a canon† no person is allowed to teach school without the bishop's licence, and that in case of offence he is liable to admonition and suspension, it stands good, that he may not be turned out without the said bishop's knowledge and approbation. As for the words, "that he saw nothing would down with them but an act of parliament, and that no regard was had to the canons," he conceived them to be no offence; for though the superiority belongs to acts of parliament in this kingdom, yet certainly some regard is due to the canons; and therefore he says again, that "if nothing will down with men but acts of parliament, the government in many particulars cannot subsist." As to the last words, of his rescinding those acts that were against the canons, he is morally certain he could not utter them; nor does he believe any man that knows him will believe him such a fool, as to say, he hoped to see the canons and the king's prerogative of equal force with an act of parliament, since he has lived to see sundry canons rejected, and the king's prerogative discussed by law, neither of which can be done by any judges to an act of parliament. However, if such words should have escaped him,

* Laud's History, p. 236, 237. † Can. 77, 79.

he observes there is only one witness to the charge; and if they be within the danger of the statute, then to that statute which requires his trial within six months he refers himself.

The managers went on to the second charge against the archbishop, which was his design "to subvert the fundamental temporal laws of the kingdom, and to introduce an arbitrary government against law and the liberty of the subject." In maintenance whereof they alleged "his illegal pressures of tonnage and poundage without act of parliament, ship-money, coat and conduct money, soap-money, &c. and his commitment of divers persons to prison for non-payment; for a proof of which there appeared, among others, three aldermen, viz. aldermen Atkins, Chambers, and Adams."

The archbishop confessed, that as to the business of ship-money, he was zealous in that affair, yet not with an intent to violate the law, for though this was before judgment given for the king, it was after the judges had declared the legality of it under their hands, and he thought he might safely follow such guides. He was likewise of opinion, that tonnage and poundage, coat and conduct money, were lawful on the king's part; that he was led into this opinion by the express judgment of some lords present, and by the silence of others; none of the great lawyers at the table contradicting it; however, that it was the common act of the council-table, and therefore all were as culpable as himself; and he was sure this could not amount to treason, except it were against the three aldermen, Atkins, Chambers, and Adams.*

They objected farther, "sundry depopulations, and pulling down houses; that for the repair of St. Paul's above sixty dwelling-houses had been pulled down, by order of council, without any satisfaction to the tenants, because they did not accept of the committee's composition.—That he had obliged a brewer near the court not to burn sea-coal, under penalty of having his brewhouse pulled down; and that by a like order of council many shopkeepers were forcibly turned out of their houses in Cheapside, to make way for goldsmiths, who were forbid to open shop in any other places of the city. When a commission was issued under the

* Laud's History, p. 232—234.

broad seal to himself, to compound with delinquents of this kind, Mr. Talboys was fined 50*l.* for noncompliance; and when he pleaded the statute of the 39th of Elizabeth, the archbishop replied, 'Do you plead law here? either abide the order, or take your trial at the star-chamber.' When Mr. Wakern had 100*l.* allowed him for the pulling down his house, he was soon after fined 100*l.* in the high-commission court for profanation; of which he paid thirty."*

This the archbishop admitted, and replied to the rest, that he humbly and heartily thanked God, that he was counted worthy to suffer for the repair of St. Paul's, which had cost him out of his own purse above 1,200*l.* As to the grievances complained of, there was a composition allotted for the sufferers, by a committee named by the lords, not by him, which amounted to 8 or 9,000*l.* before they could come at the church to repair it; so that if any thing was amiss, it must be imputed to the lords of the council, who are one body, and whatsoever is done by the major part is the act of the whole; that, however, here was some recompense made them, whereas in king James's time, when a commission was issued for demolishing these very houses, no care was taken for satisfaction of any private man's interest; and I cannot forbear to add, says the archbishop, that the bishop, and dean and chapter, did ill in giving way to these buildings, to increase their rents by a sacrilegious revenue; there being no law to build on consecrated ground. When it was replied to this, "that the king's commission was no legal warrant for pulling down houses, without authority of parliament," he answered, that houses more remote from the church of St. Paul's had been pulled down by the king's commission only in king Edward III.'s time. As to the brewhouse, the archbishop owned that he had said to the proprietor, that he must seal a bond of 2,000*l.* to brew no more with sea-coal; but it was at the council-table, when he was delivering the sense of the board, which office was usually put upon him if present; so that this or any other hardship he might suffer ought not to be imputed to him, but to the whole council; and he was very sure it could not amount to treason, except it were treason against a brewhouse. The like answer he made to the charge about the goldsmiths' shops, namely, that it was the order of council,

* Laud's History, p. 235. 244. 246. 265.

and was thought to be for the beauty and grandeur of the city, and he did apprehend the council had a right to command in things of decency, and for the safety of the subject, and where there was no law to the contrary. As to the words which he spoke to Mr. Talboys, they were not designed to derogate from the law, but to shew, that we sat not there as judges of the law, but to offer his majesty's grace, by way of composition to them who would accept it, and therefore he had his option, whether he would agree to the fine we imposed upon him, or take his trial elsewhere. The commons replied with great reason, that no commission from the king could justify the pulling down men's houses, or oblige them to part with their estates without act of parliament.

The managers objected farther to the archbishop, "several illegal commitments, and exorbitant fines and censures in the star-chamber, and high-commission court, as in the cases of Prynne, Burton, Bastwick, Huntley, and others; and that when the persons aggrieved brought prohibitions, he threatened to lay them by the heels, saying, "Does the king grant us power, and are we then prohibited? Let us go and complain, I will break the back of prohibitions, or they shall break mine." Accordingly several persons were actually imprisoned for delivering prohibitions, as was testified by many witnesses; nay, Mr. Wheeler swore, he heard the archbishop in a sermon say, that they which granted prohibitions to the disturbance of the church's right, God will prohibit their entrance into the kingdom of heaven."

The archbishop replied, that the fines, imprisonments, and other censures complained of, were the acts of the several courts that directed them, and not his. That the reason why several persons were imprisoned for prohibitions, was because they delivered them in court in an unmannerly way, throwing them on the table, or handing them over the heads of others on a stick, to the affront of the court; notwithstanding which, as many prohibitions had been admitted in his time as in his predecessors'; and after all, he apprehended these prohibitions were a very great grievance to the church; nor was there the same reason for them now, as before the Reformation, while the bishops' courts were kept under a foreign power, whereas now all power exercised in

spiritual courts, as well as in temporal, is for the king. As to the words in his sermon, though he did not remember them, yet he saw no great harm in them. And here the archbishop put the lords in mind, that nothing had been done of late in the star-chamber, or council-table, more than had been done in king James and queen Elizabeth's times. Nor is there any one witness that says, what he did was with a design to overthrow the laws, or introduce arbitrary government; no, that is only the construction of the managers, "for which, and something else in their proceedings, I am confident (says he) they shall answer at another bar."*

The managers objected farther, "the archbishop's taking undue gifts, and among others, his receiving two butts of sack, in a cause of some Chester men, whom it was in his power to relieve, by mitigating the fine set on them in the high-commission, and taking several large sums of money by way of composition for fines in the high-commission court, making use of the method of commutation, by virtue of a patent obtained from the king, which took away all opportunity from his majesty of doing justice, and shewing mercy to his poor subjects, and invested the archbishop with the final determination."

His grace heard this part of his charge with great resentment and impatience. "If I would have had any thing to do in the base, dirty business of bribery (says he), I needed not be in such want as I am now." As to the sack,† he protested, as he should answer it to God, that he knew nothing of it, and offered to confirm it by his oath, if it might be admitted. He declared, that when his steward told him of Mr. Stone's design, he absolutely forbade his receiving it, or any thing from any man who had business before him; but Mr. Stone watching a time when his steward was out of town, and the archbishop at court, brought the sack, telling the yeoman of the wine-cellar, that he had leave to lay it in. Afterward, when his steward acquainted him that the sack was brought in, he commanded it should be carried back; but Mr. Stone entreated that he might not be so disgraced, and protested he did not do it on the account of the Chester business, though

* Laud's History, p. 270, 271, 273, 274.

† Dr. Grey charges Mr. Neal with not giving the whole truth here, and with being cautious not to produce too many things in favour of the archbishop. The editor, not having Laud's History, cannot ascertain the truth or candour of this charge.—Ed.

after this he went home and put it on their account; for which they complained to the house of commons, and produced Mr. Stone for their witness. The archbishop observes, that Mr. Browne, in summing up his charge, did him justice in this particular, for neither to the lords nor commons did he so much as mention it.

As to the other sums of money which he received by way of composition or otherwise, for fines in the high-commission, he said, that he had the broad seal from the king, for applying them to the repairing the west end of St, Paul's, for the space of ten years, which broad seal was then in the hands of Mr. Holford, and was on record to be seen. And all fines in the high-commission belonging to the crown, his majesty had a right to give them to what use he pleased; that as for himself, he thought it his duty to get as much money for so good a work as he could, even by way of commutation for certain crimes; which method of pecuniary commutations was according to law, and the ancient custom and practice of this kingdom, especially where men of quality were offenders, and he had applied no part of them to his own benefit or advantage.

It was next objected, "that he had made divers alterations in the king's coronation-oath, and introduced several unwarrantable innovations with relation to that august ceremony; as particularly, that he had inserted those words into the oath, "agreeable to the king's prerogative," with about twenty other alterations of less moment, which they apprehended to be a matter of most dangerous consequence. That he had revived certain old Popish ceremonies, disused since the Reformation, as the placing a crucifix on the altar, the consecrating the holy oil, the anointing the king in form of a cross, the offering up the regalia on the altar, without any rubric or direction for these things, and inserting the following charge taken verbatim out of the Roman pontifical: "Stand, and hold fast, from henceforth, the place to which you have been heir by the succession of your forefathers, being now delivered to you by the authority of Almighty God, and by the hands of us, and all the bishops and servants of God; and as you see the clergy come nearer the altar than others, so remember, that in place convenient you give them greater honour, that the Mediator of God and man may establish you in the kingly throne, to be the

mediator between the clergy and the laity, and that you may reign for ever with Jesus Christ, the King of kings, and Lord of lords, who with the Father and the Holy Ghost liveth and reigneth for ever. Amen."

The archbishop replied, that he did not insert the words above mentioned into the coronation-oath, they being first added in king Edward VI. or queen Elizabeth's time, and had no relation to the laws of the kingdom, mentioned before in the beginning of the oath, but to the profession of the gospel, whereby the king swears to maintain his prerogative against all foreign jurisdictions: and if this be not the meaning, yet he avers, that the clause was in the coronation-oath of king James. As to the other alterations they were admitted not to be material; but his grace confesses, that when they met in the committee, they were forced to mend many slips of the pen in some places, and to make sense and good English in others, and the book being intrusted with him, he did it with his own hand, openly in the committee and with their approbation. As to the ceremonies of the coronation, they are nothing to him, since his predecessor crowned and anointed the king, indeed he supplied the place of the dean of Westminster, and was obliged to look after the regalia, and conceives the offering them at the altar could be no offence. He does not remember the crucifix was brought out [though Heylin says it was], and as to the prayer, it was not taken from the Pontifical by him, for it was used at king James's coronation, and being a good one it is no matter whence it was taken. To all which the managers replied, that it appeared by his own Diary, that he had the chief direction of all these innovations.*

The managers went on, and charged the archbishop "with endeavouring to set up an independent power in the church, by attempting to exempt the clergy from the jurisdiction of the civil magistrate; of which they produced several examples; one was, the archbishop's forbidding the lord-mayor of the city of London to carry the sword upright in the church, and then obtaining an order of council for submitting it in time and place of divine service. Another was taken out of the archbishop's Diary; upon making the bishop of London lord-treasurer, he says, 'No churchman

* Laud's Hist. p. 318. Prynne, p. 475.

had it since Henry VII. and now, if the church will not hold up themselves, under God, I can do no more.' A third was, his saying in the high-commission, that no constable should meddle with men in holy orders. A fourth was, his calling some justices of peace into the high-commission, for holding the sessions at Tewkesbury in the churchyard, being consecrated ground, though they had licence from the bishop, and though the eighty-eighth canon of the church of England gives leave, that temporal courts or leets may be kept in the church or churchyard. And a fifth was, that he had caused certain churchwardens to be prosecuted, for executing the warrant of a justice of peace upon an ale-house-keeper."*

The archbishop replied in general, that he never attempted to bring the temporal power under the clergy, nor to free the clergy from being under it; but this he confessed, that he had laboured to preserve the clergy from some laymen's oppressions, for *vis laica* has been an old and a just complaint; and this I took to be my duty, says he, assuring myself that God did not raise me to that place of eminence to sit still, and see his ministers discountenanced and trampled upon. To the first particular he replied, that it was an order of council, and therefore not his; but it was a reasonable one, for the sword was not submitted to any foreign or home power, but to God only, and that in the place and at the performance of his holy worship, at which time and place kings submit themselves, and therefore cannot insist upon the emblems of their power. To the second and third examples he replied, that he saw no treason or crime in them. To the fourth he replied, that no temporal courts ought to be kept upon consecrated ground; and that though some such might upon urgent occasions be kept in the church with leave, yet that is no warrant for a sessions, where there might be a trial for blood; and certainly it can be no crime to keep off profanation from churches: but be it never so criminal, it was the act of the high-commission, and not his; nor is there any thing in it that looks towards treason. To the prosecuting the churchwardens he answered, that those statutes concerned alehouse-keepers only, and the reason why they were prosecuted was, because being church-officers they did not complain of it to the

* Laud's Hist. p. 293.

chancellor of the diocess; for certainly standing in such a relation to the church, they ought to have been as ready to inform the bishop as to obey the justice of the peace.

Lastly, The managers objected to the archbishop, "the convocation's sitting after the parliament was dissolved, contrary to law; their imposing an oath on the subject, and their making sundry canons, which had since been voted by both houses of parliament contrary to the king's prerogative, to the fundamental laws of the realm, to the rights of parliament, to the property and liberty of the subject, and containing matters tending to sedition, and of dangerous consequence."*

The archbishop replied, that the sitting of the convocation after the dissolution of the parliament was, in the opinion both of judges and other lawyers, according to law; that as they were called to sit in convocation by a different writ from that which called them as bishops to sit in parliament, so they could not rise till they had a writ to discharge them. As for the oath so much complained of, it was according to law, or else they were misled by such precedents as were never excepted against; for in the canons made in king James's time, there was an oath against simony, and an oath for licences for marriages, and an oath for judges in ecclesiastical courts, and all these established by no other authority than the late one. As to the vote of both houses, which condemned the canons, since their lordships would not suffer him to debate the justice and equity of it, he could only reply, that all these canons were made in open and full convocations, and are acts of that body, and cannot be ascribed to him, though president of that synod, so by me (says the archbishop) they were not made.†

These were the principal evidences produced by the commons, in maintenance of the first branch of their charge, *viz.* his grace's endeavours to subvert the rights of parliament, and the fundamental temporal laws of the kingdom. From whence it is easy to observe, that besides the sharpness of the archbishop's temper, there are three capital mistakes which run through this part of his defence.

1. A groundless supposition, that where the law is silent the prerogative takes place; and that in all such cases, a proclamation, or order of council, or a decree of the star-

* Laud's History, p. 237. 292. † Ibid. p. 282.

chamber, &c. is binding upon the subject; and that disobedience to such proclamations or orders might be punished at discretion. This gave rise to most of the unwarrantable orders by which the subject was insufferably oppressed in the former part of this reign, and to the exorbitant fines that were levied for disobedience, in which the archbishop himself was notoriously active.

2. The false conclusions drawn from his being but a single member of the council or high-commission, viz. that therefore he was not answerable for their votes or orders, even though he had set his hand to them; because what is carried by a majority is supposed to be the act of the whole body, and not of any particular member.* According to which way of reasoning, the constitution might be destroyed, without a possibility of punishing the authors.

3. His wilful misconstruction of the managers' reasonings; as when he replies with an air of satisfaction and triumph, he hopes this or the other particular will not be construed treason, unless it be against a brewhouse or an alderman, or the like; though he was told over and over, by the managers for the commons, that they did not object these things to him as so many treasonable acts, but as proofs and evidences of one general charge, which was, a traitorous attempt and endeavour to subvert the fundamental temporal laws, government, and liberties, of the realm; and how far they have made good this part of their charge must be left with the reader.

The commons proceeded next to the third general charge, relating to religion, in which our history requires us to be more particular; and here they aver, "that the archbishop had traitorously endeavoured and practised to alter and subvert God's true religion by law established in this realm, and instead thereof to set up Popish superstition and idolatry, and to reconcile us to the church of Rome.

This was divided into two branches:

1st. "His introducing and practising certain Popish innovations and superstitious ceremonies, not warranted by law, nor agreeable to the practice of the church of England since the Reformation.

2dly. "His countenancing and encouraging sundry doctrinal errors in favour of Arminianism and Popery."

* Laud's History, p. 437.

The managers began with Popish innovations and ceremonies, in maintenance of which they insisted on the following proofs:

(1.) "His countenancing the setting up of images in churches, church-windows, and other places of religious worship. That in his own chapel at Lambeth he had repaired the Popish paintings on the windows, that had been destroyed at the Reformation, and made up the history of Christ crucified between two thieves; of his rising out of the grave; of his ascension into heaven; of the Holy Ghost descending in form of a dove; of Christ raising Lazarus out of the grave: and of God himself raining down manna from heaven; of God's giving the law to Moses on mount Sinai; of fire descending from heaven at the prayer of Elisha; of the Holy Ghost overshadowing the Virgin, &c. all taken from the Roman missal, with several superstitious mottos and inscriptions. That he had caused divers crucifixes to be set up in churches over the communion-table, in his chapel at Lambeth, at Whitehall, and at the university at Oxford, of which he was chancellor. That in the parish of St. Mary's there was since his time erected a statue of the Virgin Mary cut in stone, with a child in her arms, to which divers people bowed and did reverence as they went along the streets; which could not be done without his allowance; nay, so zealous was this prelate (say the managers) in defence of images, that he procured Mr. Sherfield to be sentenced in the star-chamber, for defacing a church-window in or near Salisbury, because there was an image in it of God the Father; all which is contrary to the statute of the 3d and 4th of Edward VI. and the injunctions of queen Elizabeth, which enjoin all pictures, paintings, images, and other monuments of idolatry and superstition to be destroyed, so as that there remain no memory of them in walls, glass-windows, or elsewhere, within any church or house."*

The archbishop answered in general, that crucifixes and images in churches were not simply unlawful; that they were in use in Constantine's time, and long before, and therefore there could be no Popery in them. Tertullian says, they had the picture of Christ engraven on their chalice in form of a shepherd carrying home a lost sheep; and

* Prynne's Cant. Doom, p. 157. 462, &c.

even Mr. Calvin allows an historical use of images, Instit. lib. 1. cap. 11. sect. 12. "Neque tamen ea superstitione teneor ut nullas prorsus imagines ferandas censeam, sed quia sculptura et pictura, Dei dona sunt, purum et legitimum utriusque usum requiro." The archbishop appealed likewise to the Homilies, p. 64, 65, for an historical use of images; but if it should be granted, says he, that they are condemned by the homilies, yet certainly one may subscribe to the homilies as containing a godly and wholesome doctrine, necessary for those times, without approving every passage or sentence, or supposing it necessary for all times. I do not approve of images of God the Father, though some will justify them from Dan. vii. 22, but as for the images of things visible, they are of use, not only for the beautifying and adorning the places of divine worship, but for admonition and instruction; and can be an offence to none but such as would have God served slovenly and meanly under a pretence of avoiding superstition.*

As to the particulars, the archbishop allowed his repairing the windows of his chapel at Lambeth, and making out the history as well as he could, but not from the Roman missal, since he did not know the particulars were in it, but from the fragments of what remained in the windows since the Reformation; but if they had been originally painted by his order, as in the case of the new chapel of Westminster, he knows no crime in it.† The image of the Virgin Mary in Oxford was set up by bishop Owen, and there is no evidence that I countenanced the setting it up, nor that any complaint was made to me of any abuse of it.‡ As to Mr. Sherfield's case, one of the witnesses says, it was the picture of an old man with a budget by his side pulling out Adam and Eve, it is not therefore certain that it was the image of God the Father; but if it was, yet Mr. Sherfield ought not to have defaced it but by command of authority, though it had been an idol of Jupiter; the orders of the vestry, which Mr. Sherfield pleads, being nothing at all without the bishop of the diocess.§ The statute of Edward VI. has nothing to do with images in glass-windows; the words of the statute are, "any images of stone, timber, alabaster, or earth, graven, carved, or painted, taken out of any church, &c. shall be de-

* Laud's Hist. p. 311. Prynne, p. 462, 463. 479. † Prynne, p. 462.
‡ Laud's History, p. 329. § Ibid. p. 434.

stroyed." So here is not a word of glass-windows, nor images in them.

The managers for the commons replied, that it was notoriously false, that the primitive Christians approved of images, for Justin Martyr, Clemens Alexandrinus, Irenæus, and all the ancient fathers, agree that they had none in their churches.* Lactantius says, there can be no religion in a place where any image is. Epiphanius rent in pieces an image painted on cloth, which he found in a church, out of holy indignation. All the ancient councils are against images in churches; and many godly emperors cast them out, after they began to be in use in latter times, as our own homilies expressly declare, Peril of Idolatry, part 2. p. 38. As for Tertullian, all that can be proved from him is, that those heretics against whom he wrote had such a chalice, not that the orthodox Christians allowed of it. Calvin only says, that he is not so superstitious as to think it altogether unlawful to make images of men or beasts for a civil use, because painting is the gift of God. But he affirms, in the very next section, that there were no images in churches for five hundred years after Christ; and says expressly, that they were not in use till the Christian religion was corrupted and depraved. He then adds, that he accounts it unlawful and wicked to paint the image of God, because he has forbidden it. But the homilies are so express that they wonder the archbishop can mention them without blushing; as well as his not knowing that the paintings were according to the mass-book, when his own mass-book is marked in those places with his own hand.† The images in those windows were broken and demolished at the Reformation, by virtue of our statutes, homilies, and injunctions, and remained as monuments of our indignation against Romish idolatry, till the archbishop repaired them. The managers observed farther, that the archbishop had confessed the particulars of this part of their charge, and had only excused himself as to the university of Oxford, though they conceive it impossible he could be ignorant of those innovations, being chancellor and visitor, and having entertained the king, queen, and elector-palatine, there for several days. As for Mr. Sherfield's case, they apprehend the authority of the ves-

* Prynne, p. 463—465. † Peril of Idol. p. 41—43.

try was sufficient in a place exempt from the jurisdiction of the bishop, as St. Edmund's church was. And the managers are still of opinion, that the statute of Edward VI. extends to images in glass-windows; and that which confirms them in it is, that the injunctions of queen Elizabeth, made in pursuance of this law, extend in direct terms to images in glass-windows; and the practice of those times in defacing them, infallibly proves it.

(2.) Another Popish innovation charged on the archbishop was, "his superstitious manner of consecrating chapels, churches, and churchyards; they instanced in Creed-church, of which the reader has had an account before; and in St. Giles's in the Fields, which, being fallen to decay, was in part re-edified and finished in bishop Mountaine's time, divine service, and administration of sacraments having been performed in it three or four years before his death; but no sooner was the archbishop translated to the see of London, than he interdicted the church, and shut up the doors for several weeks, till he had reconsecrated it, after the manner of Creed-church, to the very great cost and charge of the parish, and contrary to the judgment of bishop Parker, and our first reformers."*

"They objected farther, his consecrating of altars with all their furniture, as pattens, chalices, altar-cloths, &c. even to the knife that was to cut the sacramental bread; and his dedicating the churches to certain saints, together with his premoting annual revels, or feasts of dedication, on the Lord's day, in several parts of the country, whereby that holy day was profaned, and the people encouraged in superstition and ignorance."

The archbishop answered to the consecration of churches, that the practice was as ancient as Moses, who consecrated the tabernacle, with all its vessels and ornaments; that the temple was afterward consecrated by king Solomon; that as soon as Christian churches began to be built, in the reign of Constantine the Great, they were consecrated, as Eusebius testifies concerning the church of Tyre, in his Ecclesiastical History, lib. 10. cap. 3, and so it has continued down to the present time. Besides, if churches were not consecrated, they would not be holy; nor does archbishop Parker speak against consecrations in general, but against Popish conse-

* Prynne, p. 113, 114. 497.

erations, which mine were not, says the archbishop, for I had them from bishop Andrews.*

As to the manner of consecrating Creed-church, St. Giles's, &c. his grace confessed, that when he came to the church-door, that passage in the Psalms was read, "Lift up your heads, O ye gates, even lift them up, ye everlasting doors, that the King of glory may come in;"† that he kneeled and bowed at his entrance into the church, as Moses and Aaron did at the door of the tabernacle; that he declared the place holy, and made use of a prayer like one in the Roman pontifical; that afterward he pronounced divers curses on such as should profane it, but denied his throwing dust into the air, in which he said, the witnesses had forsworn themselves, for the Roman pontifical does not prescribe throwing dust into the air, but ashes; and he conceives there is no harm, much less treason, in it.‡ The practice of giving the names of angels and saints to churches at their dedication, for distinction's sake, and for the honour of their memories, says his grace, has been very ancient, as appears in St. Austin, and divers others of the fathers; but the dedication, strictly speaking, is only to God; nor is the observing the annual feasts of dedication less ancient; the feast of the dedication of the temple was observed in our Saviour's time, and though, no doubt, it was abused by some among the Jews, yet our Saviour honoured it with his presence. Judge Richardson, indeed, had made an order in his circuit for putting down these wakes, but he was obliged to revoke it by authority; and, under favour, says the archbishop, I am of opinion that the feasts ought not to be put down for some abuses, any more than all vines ought to be rooted up because some will be drunk with the juice of them.§ The feasts are convenient for keeping up hospitality and good neighbourhood; nor can there be a more proper time for observing them than on Sundays, after divine service is ended.

And as the consecrating of churches, and dedicating them to God, has been of ancient usage, so has the consecration of altars and their furniture, and such consecrations are necessary, for else the Lord's table could not be called holy,

* Laud's History, p. 339, 340. Prynne, p. 115.

† The archbishop alleged, that this place of Scripture had been anciently used in consecrations; and that it referred not to the bishop, but to the true King of glory. Dr. Grey.—Ed.

‡ Prynne, p. 498. § Laud's Hist. p. 269.

nor the vessels belonging to it holy, as they usually are; yea, there is a holiness in the altar which sanctifies the gift, which it could not do, except itself were holy; if there be no dedication of these things to God, no separation of them from common use, then there can be no such thing as sacrilege, or difference between a holy table and a common one.* And as to the form of consecrating these things, I had them not from the Roman pontifical, but from bishop Andrews.

The managers for the commons replied, that if the temple was consecrated, it was by the king himself, and not by the high-priest; and if the tabernacle was consecrated, it was by Moses the civil magistrate, and not by Aaron the high-priest; but we read of no other consecrating the tabernacle and its utensils, but anointing them with oil, for which Moses had an express command; nor of any other consecrating the temple, but of Solomon's making an excellent prayer in the outward court, not in the temple itself, and of his hallowing the middle court by offerings and peace-offerings; and it is observable that the cloud and glory of the Lord filled the temple, so as the priests could not stand to minister before Solomon made his prayer, which some call his consecration. But if it should be allowed that the temple was consecrated in an extraordinary manner, we have no mention either in Scripture or Jewish writers of the consecration of their synagogues, to which our churches properly succeed.† And after all, it is no conclusive way of arguing, to derive a Christian institution from the practice of the Jewish church, because many of their ordinances were temporary, ceremonial, and abolished by the coming of Christ.

From the beginning of Christianity, we have no credible authority for consecrating churches for three hundred years.‡ Eusebius, in his life of Constantine the Great, indeed mentions his consecrating a temple that he built over our Saviour's sepulchre at Jerusalem; but how? with prayers, disputations, preaching, and exposition of Scripture, as he expressly defines it, cap. 45. Here were no processions, no knocking at the doors by the bishop, crying, "Open, ye everlasting doors;" nor casting dust or ashes into the air, and pronouncing the ground holy; no reverencing towards the altar, nor a great many other inventions of latter ages:

* Laud's Hist. p. 313. † Prynne, p. 115. 499, &c. ‡ Ibid. p. 501.

no, these were not known in the Christian church till the very darkest times of Popery; nay, in those very dark times, we are told by Otho the pope's legate, in his Ecclesiastical Constitutions, that in the reign of king Henry III. there were not only divers parish-churches but some cathedrals in England, which had been used for many years, and yet never consecrated by a bishop. But it is plain to a demonstration, that the archbishop's method of consecrating churches is a modern Popish invention; for it is agreed by Gratian, Platina, the centuriators, and others, that pope Hyginus, Gelasius, Silvester, Felix, and Gregory, were the first inventors and promoters of it; and it is no where to be found but in the Roman pontifical, published by command of pope Clement VIII. de Ecclesiæ Dedicatione, p. 209. 280, for which reasons it was exploded and condemned by our first reformers, and particularly by bishop Pilkington in his comment upon Haggai, chap. i. ver. 7, 8, and archbishop Parker, who in his Antiq. Britan. expressly condemns the archbishop's method of consecration as Popish and superstitious, p. 85—87.*

But the archbishop says, if churches are not consecrated they cannot be holy, whereas many places that were never consecrated are styled holy, as "the most holy place," and the "holy city Jerusalem;" and our homilies say, that the church is called holy, not of itself, but because God's people resorting thither are holy, and exercise themselves in holy things; and it is evident that sanctification when applied to places, is nothing else but a separating them from common use to a religious and sacred one, which may be done without the superstitious method above mentioned; and though the archbishop avers he had not his form of consecration from the Roman pontifical, he acknowledges he had it from bishop Andrews, who could have it no where else.†

As for consecrating altars, pattens, chalices, altar-cloths, and other altar-furniture, their original is no higher than the Roman missal and pontifical, in both which there are particular chapters and set forms of prayer for this purpose; but to imagine that these vessels may not be reputed holy, though separated to a holy use, unless thus consecrated, is without any foundation in reason or Scripture, and contrary

* Prynne, p. 115—117. † Ibid. p. 502.

to the practice of the church of England, and the opinion of our first reformers.*

To the archbishop's account of feasts of dedication we answer as before, that an example out of the Jewish law is no rule for the Christian church. Ezra kept a feast at the dedication of the temple, when it was rebuilt, and offered a great many burnt-offerings, (Ezra vi. 16, 17.) but it was not made an annual solemnity; for the feast of dedication mentioned John x. 22, was not of the dedication of the temple, but of the altars, instituted by Judas Maccabeus, to be kept annually by the space of eight days, (1 Macc. iv. 56. 59.) which being of no divine institution, but kept only by the superstitious Jews, not by Christ or his apostles (who are only said to be at Jerusalem at that time), can be no precedent for our modern consecrations.†

Pope Felix and Gregory are the first that decreed the annual observation of the dedication of churches since our Saviour's time, which were observed in England under the names of wakes or revels, but were the occasion of so much idleness and debauchery, that king Henry VIII. anno 1536, restrained them all to the first Sunday in October, not to be kept on any other day; and afterward, by the statute 5 and 6 Edward VI. cap. 3, of holy days, they were totally abolished. But these feasts being revived again by degrees, in sundry places of this realm, and particularly in Somersetshire, judge Richardson, when he was on the circuit, at the request of the justices of the peace for the county, published an order for suppressing them; but was obliged the next year as publicly to revoke it, and to declare such recreations to be lawful; and as a farther punishment on the judge, the archbishop obtained his removal from that circuit. It is very certain, that at these revels there were a great many disorders; as drunkenness, quarrelling, fornication, and murder, it is therefore very unlikely they should answer any good purpose, and how fit they were to succeed the public devotions of the Lord's day, we shall leave to your lordships' consideration.

(3.) The managers charged the archbishop farther, "with giving orders to sir Nath. Brent, his vicar-general, to enjoin the churchwardens of all parish-churches within his

* Prynne, p. 65, &c. 467. 470. † Ibid. p. 128.

diocess, that they should remove the communion-table from the middle of the chapel to the upper end, and place it in form of an altar, close to the wall, with the ends north and south, and encompass it with rails, according to the model of cathedrals. They objected likewise to his furnishing the altar in his own chapel, and the king's at Whitehall, with basins, candlesticks, tapers, and other silver vessels, not used in his predecessor's time; and to the *credentia* or side-table, in conformity to the Roman ceremonial, on which the elements were to be placed on a clean linen cloth before they were brought to the altar to be consecrated; and to the hanging over the altar a piece of arras with a large crucifix."*

The archbishop answered, that the placing the communion-table at the east end of the chancel, was commanded by queen Elizabeth's injunctions, which say, that the holy table shall be set in the place where the altar stood, which, all who are acquainted with antiquity know, was at the east end of the chancel, with the ends north and south, close to the wall, and thus they were usually placed both in this and other churches of Christendom; the innovation therefore was theirs who departed from the injunctions, and not mine who have kept to them. Besides, altars, both name and thing, were in use in the primitive churches long before Popery began; yea, they are to be found both in the Old and New Testament; and that there can be no Popery in railing them in, I have proved in my speech in the star-chamber. However, I aver, that I gave no orders nor directions to sir Nath. Brent, my vicar-general, neither by letter nor otherwise, to remove or rail in communion-tables in all parish-churches; and I desire sir Nath. may be called to testify the truth upon his oath. Sir Nath. being sworn, the archbishop asked him upon his oath, whether he had ever given him such orders? To which he replied, "My lords, upon the oath I have taken, I received an express direction and command from the archbishop himself to do what I did of this kind, otherwise I durst never have done it."† The archbishop insisting that he never gave him such orders, and wondering he should be so unworthy as to affirm it upon oath, sir Nath. produced the following

* Prynne, p. 62. 91, &c. † Laud's Hist. p. 310.

letter under the archbishop's own hand, directed to himself at Maidstone.

"Sir,

"I require you to command the communion-table at Maidstone to be placed at the east or upper end of the chancel, and there railed in, and that the communicants there come up to the rail to receive the blessed sacrament; and the like you are required to do in all churches, and in all other places where you visit metropolitically.

"W. Cant."

To which the archbishop, being out of countenance, made no other reply, but that he had forgot it.*

As to the furniture upon the altar, he added, that it was no other than was used in the king's chapel at Whitehall before his time, and was both necessary and decent; as is likewise the *credentia*, or side-table, the form of which he took from bishop Andrews's model; and the piece of arras, that was hung up over the altar in Passion-week, he apprehended was very proper for the place and occasion, such representations being approved by the Lutherans, and even by Calvin himself, as had been already shewn.

The managers replied to the antiquity of altars, that though the name is often mentioned in Scripture, yet it is never applied to the Lord's table; but altars and priests are put in opposition to the Lord's table and ministers of the New Testament, 1 Cor. ix. 13, 14. Christ himself celebrated the sacrament at a table, not at an altar, and he calls it a supper, not a sacrifice; nor can it be pretended by any law or canon of the church of England, that it is called an altar more than once, stat. 1 Edw. VI. cap. 1, which statute was repealed within three years, and another made, in which the word altar is changed into table. It is evident from the unanimous suffrage of most of the fathers that lived within three hundred years after Christ, and by our most learned reformers, that for above two hundred and fifty years after Christ, there were no altars in churches, but only tables; pope Sixtus II. being the first that introduced them;† and the canons of the Popish council of Aix, *1583*, being the only ones that can be produced for railing them in; one of which prescribes thus, "unumquodque altare sepiatur om-

* Prynne, p. 89. † Ibid. p. 480, 481.

nino septo ferreo, vel lapideo, vel ligneo."* "Let every altar be encompassed with a rail of iron, stone, or wood." The text, Heb. xiii. 10, "We have an altar, whereof they have no right to eat which serve the tabernacle," is certainly meant of Christ himself, and not of the altar of wood or stone, as our Protestant writers have proved at large; agreeably to which all altars in churches were commanded to be taken away and removed, as superstitious and Popish, by public laws and injunctions at the Reformation, and tables were set up in their stead, which continued till the archbishop was pleased to turn them again into altars.

But the archbishop is pleased to maintain, that the queen's injunctions prescribe the communion-table to be set in the place where the altar stood, and that this was anciently at the east end of the choir; whereas we affirm, that he is not able to produce one precedent or authority in all antiquity for this assertion; on the contrary, we are able to demonstrate to your lordships, that altars and Lord's tables, amongst Jews and Christians, stood anciently in the midst of their churches or choirs;† where the people might sit, stand, and go conveniently round them. So it was certainly in the Jewish church, as every one allows; and it was so in the Christian church, till the very darkest times of Popery, when private masses were introduced.‡ Eusebius, Dionysius Areopagita, Chrysostom, Athanasius, Augustine, &c. affirm, that the table of the Lord stood in the middle of the chancel, so that they might compass it about; nay, Durandus, a Popish writer, informs us, that when a bishop consecrates a new altar, he must go round about it seven times; by which it is evident, it could not stand against a wall; but our most eminent writers against Popery, as, Bucer, bishop Jewel, bishop Babington, bishop Morton, and archbishop Williams, have proved this so evidently, that there is no room to call it in question; and we are able to produce several authorities from Venerable Bede, St. Austin the first archbishop of Canterbury, and others, that they stood thus in England in their times.

* Prynne, p. 62.

† Choir or chorus has its denomination from the multitude standing round about the altar [*in medium coronæ*] in the form of a ring or circle. In the ancient liturgies they prayed for all those that stood round about the altar.—The priests and deacons stood round about the altar when they officiated, and so did the bishops when they consecrated it.

‡ Prynne, p. 482. 484. Vide Bishop Williams's Life, p. 109.

Nor do queen Elizabeth's injunctions in the least favour the archbishop's practice, of fixing the communion-table to the east wall with rails about it, for they order the table to be removed when the sacrament is to be distributed, and placed in such sort within the chancel, as whereby the minister may be more conveniently heard of the communicants, and the communicants may more conveniently, and in greater numbers, communicate with him. Now, if it be to be removed at the time of communion, it is absurd to suppose it to be fixed to the wall, and encompassed with rails. Besides, the rubric of the Common Prayer-book, and the eighty-second canon of 1603, appoint the communion-table to be placed in the body of the church, where the chancel is too small, or near the middle of the chancel, where it is large enough; and thus they generally stood in all churches, chapels, and in Lambeth-chapel itself, till the archbishop's time, which puts the matter out of question.* And if it be remembered, that the saying of private masses brought in this situation of altars into the church of Rome, contrary to all antiquity, the archbishop's imitating them in this particular must certainly be a Popish innovation.

The furniture upon the altar, which the archbishop pleads for, is exactly copied from the Roman pontifical and the Popish council of Aix, and is condemned by our homilies and queen Elizabeth's injunctions, which censure, condemn, and abolish, as superstitious, ethnical, and Popish, all candlesticks, trindals, rolls of wax, and setting up of tapers, as tending to idolatry and superstition, injunct. 2. 23. 25. Therefore, instead of conforming to the chapel at Whitehall, he ought, as dean of that chapel, to have reformed it to our laws, homilies, and injunctions.

The like may be said of the *credentia* [or side-table] which is taken expressly out of the Roma Cneremonial and pontifical, and is used amongst the Papists only in their most solemn masses. It was never heard of in any Protestant church, nor in the church of England, till the archbishop's time; and as for the stale pretext of his having it from bishop Andrews, if it be true, we are certain that bishop could have it no where else but from the Roman missal.†

The arras hangings, with the picture of Christ at his last

* Prynne, p. 467. 481. † Ibid. p. 63. 468.

supper, with a crucifix, are no less Popish than the former, being enjoined by the Roman Ceremoniale, edit. Par. 1633, lib. 1. cap. 12. p. 69, 70, in these words, "Quod si altare parieti adhæreat, applicari poterit ipsi parieti supra altare pannus aliquis cæteris nobilior et speciosior, ubi intextæ sint D. N. Jesu Christi aut gloriosæ virginis, vel sanctorum imagines." "If the altar be fixed to the wall, let there be some hangings more noble and beautiful than the rest fastened upon the wall over the altar, in which are wrought the images of Christ, the blessed Virgin, or the saints." Besides, these things being condemned by our statutes, homilies, and injunctions, as we have already proved, ought not certainly to have been introduced by a prelate, who challenges all that is between heaven and hell, justly to tax him in any one particular favouring of Popish superstition or idolatry.

"Another innovation charged on the archbishop, was his introducing divers superstitions into divine worship, as bowing towards the altar, bowing at the name of Jesus, enjoining people to do reverence at their entrance into church, reading the second service at the communion-table, standing up at the *Gloria Patri*,* and introducing the use of copes and church-music. They objected farther, his repairing old crucifixes, his new statutes of the university of Oxford, among which some were arbitrary, and others were superstitious; of the former sort, are the imposing new oaths; the statute of bannition; referring some misdemeanours to arbitrary penalties, and obliging students to go to prison on the vice-chancellor's or proctor's command. Of the latter sort, are bowing to the altar, singing the litany, and reading Latin prayers in Lent; together with the above-mentioned superstitions in the manner of divine worship."†

The archbishop answered, that bowing in divine worship was practised among the Jews; (2 Chron, xxix. 29.) and the Psalmist says, "O come, let us worship and bow down: let us kneel before the Lord our Maker:" (Psal. xcv. 6.) that it

* "It is observable (remarks Mrs. Macaulay), that the most obnoxious of those ceremonies which Laud so childishly insisted on were established at the Restoration, and have been ever since regularly practised in the church; and that many of his most offensive measures have been adopted by revolution ministers, such as the nominating clergymen to be justices of peace, with restraints laid on marriage." History of England, vol. 4. p. 135, the note.—Ed.

† Prynne, p. 72, &c.

was usual in queen Elizabeth's time; and that the knights of the garter were obliged to this practice by the orders of their chapter. Besides, the altar is the chief place of God's residence on earth, for there it is, "This is my body;" whereas in the pulpit it is only, This is my word. And shall I bow to men in each house of parliament, and not bow to God in his house whither I come to worship him? Surely I must worship God, and bow to him, though neither altar nor communion-table be in the church.*

Bowing at the name of Jesus is prescribed in direct terms by queen Elizabeth's injunctions, no. 12, and by the eighteenth canon of our church; and though standing up at the *Gloria Patri* is not prescribed by any canon of the church, it is nevertheless of great antiquity; nor is the reading the second service at the communion-table an innovation, it being the constant practice in cathedrals, and warranted by the rubric.

The use of copes is prescribed by the twenty-fourth canon of 1603, which says, "that in all cathedrals, and collegiate churches, the communion shall be administered on principal feast-days, sometimes by the bishop if present, sometimes by the dean, and sometimes by the canon or prebendary, the principal minister using a decent cope; so that here is no innovation, any more than in the use of organs, which our church has generally approved, and made use of.

As to the statutes of the university of Oxford, it is honour more than enough for me, that I have finished and settled them; nor did I any thing in them but by the consent of the convocation; and as to the particulars, there is nothing but what is agreeable to their charters, and the ancient custom and usage of the university.†

The managers replied, that bowing to the altar is Popish, superstitious, and idolatrous, being prescribed only by Popish canons, and introduced on purpose to support the doctrine of transubstantiation, which the archbishop's practice seems very much to countenance, when at his coming up to the altar to consecrate the bread, he makes three low bows, and at his going away three more, giving this reason for it, "Quia hoc est corpus meum," "Because this is my body;" whereas he does not bow to the pulpit, because a greater reverence is due to the body than to the word of

* Laud's History, p. 313. 361. † Ibid. p. 304.

the Lord.* Besides, it has no foundation in antiquity, nor has it been approved by any Protestant writers, except the archbishop's creatures, such as Dr. Heylin, Pocklington, &c. and has been condemned by the best writers, as Popish and superstitious. The black book of the knights of the garter at Windsor, is a sorry precedent for a Protestant archbishop to follow, being made in the darkest times of Popery, viz. in the reign of Henry V. and if they bow *Deo et altari*, to God and to his altar, as the archbishop in the star-chamber is of opinion Christians ought to do, we cannot but think it both Popish and idolatrous. His passages of Scripture are nothing to the purpose, for kneeling before the Lord our maker, has no relation to bowing to the altar; nor is there any canon or injunction of the church to support the practice.

The archbishop confesses, that there is neither canon nor injunction for standing up at the *Gloria Patri*, which must therefore be an innovation, and is of no greater antiquity than the office of the mass, for it is derived from the *ordo Romanus*, as appears from the works of Cassander, p. 98.† And though bowing at the name of Jesus be mentioned in the canons, yet these canons are not binding, not being confirmed by parliament,‡ especially since the homilies, the Common Prayer-book, the articles of religion, and the book of ordination, which are the only authentic rules of the church, make no mention of it; nor was it ever introduced before the time of pope Gregory X. who first prescribed it; and from the councils of Basil, Sennes, and Augusta, it was afterward inserted in the Roman Ceremoniale; besides, our best Protestant writers have condemned the practice.

Reading the second service at the altar, when there is no communion, is contrary to the canons of 1571 and 1603, contrary to the queen's injunctions, the homilies, the rubric in the Common Prayer-book, and was never practised in parish-churches till of late, though used in some cathedrals, where the rubric enjoins the communion to be administered every Sunday in the year, which being omitted, the second service at the table was left to supply it. The

* Prynne, p. 63. 64. 474. 477. 487. † Ibid. p. 64.

‡ Dr. Grey contends here, that the canons of a convocation duly licensed by the king, when confirmed by royal authority, are properly the ecclesiastical laws of the church of England, and are as binding as the statutes of parliament.—Ed.

Lord's table was ordained only to administer the sacrament, but the epistle and gospel, which are the chief parts of the second service, are appointed to be read with the two lessons in the reading pew.*

As for copes, neither the Common Prayer-book, nor book of ordination, nor homilies confirmed by parliament, nor queen Elizabeth's injunctions in her first year, make any mention of them, though they are evidently derived from the Popish wardrobe, and the last Common Prayer-book of king Edward VI. expressly prohibits them.† The twenty-fourth canon of 1603, enjoins only the chief minister to wear a cope at the administration of the sacrament, whereas the archbishop prescribed them to be worn by others besides the chief minister, and as well when the sacrament was not administered as when it was. But, as we observed before, those canons not being confirmed by parliament, expired with king James, and therefore can be no warrant for their present use. Nor is the use of music in churches, or chanting of prayers, of any great antiquity, being first introduced by pope Vitalian, A. D. 666, and encouraged only by Popish prelates.‡

And though the archbishop pleads, that the statutes of Oxford are agreeable to ancient custom and usage, we affirm they contain sundry innovations, not only with regard to the liberty of the subject, but with regard to religion, for Latin prayers were formerly said only on Ash-Wednesdays before the bachelors of arts, whereas now none others are to be said throughout all Lent; the statute for singing in solemn processions was made in time of Popery, and renewed in these statutes to keep up the practice of such superstitious perambulations; and though the archbishop with his wonted assurance wonders what these things have to do with treason, we apprehend, that if they appear so many proofs of a design to subvert§ the established religion

* Prynne, p. 492. † Ibid. p. 64. 479, 480. ‡ Ibid. p. 65.

§ Mrs. Macaulay thinks, that to the charge of endeavouring to subvert the established religion, and to set up Popish superstition and idolatry, the archbishop was particularly strong in his defence, and the allegations to support the charge were particularly vague and trifling. "The truth is (as that author observes), those superstitious ceremonies which he with so much blind zeal had endeavoured to revive, and which were so justly ridiculed and abhorred by the more enlightened Protestants, were the discipline of the first reformers in this country, and had the sanction both of the civil and ecclesiastical power: reformation had begun *in* England at the wrong end; it was first adopted and modelled by government, instead of being forced upon government by the general sense of the people; and thus, to further the ambitious views

of the church of England, they will be judged so in the highest degree.*

Farther, they charged the archbishop with advising the king "to publish his declaration for the use of sports on the Lord's day, in order to suppress afternoon-sermons; with obliging the clergy of his diocess to read it in their pulpits, and punishing those that refused."†

The archbishop answered, that he had the king's warrant for printing the book of sports; that there is no proof that it was by his procurement, nor that it was done on purpose to take away afternoon-sermons, since these recreations are not allowed *till* they are over; besides, the declaration allows only lawful recreations, which is no more than is practised at Geneva, though for his own part he always observed strictly the Lord's day. What he enjoined about the reading the declaration was by his majesty's command, and he did not punish above three or four for not reading it.‡

The commons replied, that it was evident, by the archbishop's letter to the bishop of Bath and Wells, that the declaration was printed by his procurement, the warrant for printing it being written all with his own hand, and without date, and therefore might probably be obtained afterward;§ moreover, some of the recreations mentioned in it are unlawful on the Lord's day, according to the opinion of fathers, councils, and imperial laws; and though Calvin differs from our Protestant writers about the morality of the sabbath, yet he expressly condemns dancing and pastimes on that day. As for his grace's own strict observation of the Lord's day, it is an averment without truth, for he sat constantly at the council-table on that day; and it was his ordinary practice to go to bowls in the summer-time, and use other recreations upon it; nor is it probable, that the archbishop would have punished conscientious ministers for not reading the book of sports, if the thing had been disagreeable to his practice, especially when there is no warrant at all in the declaration that ministers should pub-

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of the monarch, and to gratify the pride of the prelacy, a great part of the mystery of Popery was retained in the doctrine, and a great part of the puppet-shows of the Papists in the discipline of the church of England." History of England, vol. 4. p. 135. —Ed.

* Prynne, p. 478.

† Ibid. p. 128. 154. 382.

‡ Laud's History, p. 343, 344.

§ Prynne, p. 505.

lish it, or be punished for refusing it; and that he punished no more, was not owning to his clemency who gave command to suspend all that refused, but to the clergy's compliance: for so zealous was this archbishop and some of his brethren in this affair, that it was inserted as an article of inquiry in their visitations, whether the king's declaration for sports has been read and published by the minister? And defaulters were to be presented upon oath. Now we appeal to the whole Christian world, whether ever it has been known, that any who have been called fathers of the church, have taken so much pains to have the Lord's day profaned, as first to advise the king to publish a declaration to warrant it, then to enjoin the clergy to read it in their pulpits, and to suspend, sequester, and deprive, all whose consciences would not allow them to comply, and this not only contrary to the laws of God, but to the laws of the land.

The reader will, no doubt, remark upon this part of the archbishop's trial, that those rites and ceremonies which have bred such ill blood, and been contended for with so much fierceness as to disturb the peace of the church and divide its communion, have no foundation in Scripture, or primitive antiquity, taking their rise for the most part in the darkest and most corrupt times of the Papacy. I speak not here of such rites as are established by law, as the cross in baptism, and kneeling at the communion, &c. because the commons could not charge these on the archbishop as criminal. And it will be observed farther, that when men claim a right to introduce ceremonies for decency of worship, and impose them upon the people, there can be no bounds to a fruitful invention. Archbishop Laud would, no doubt, by degrees, have introduced all the follies of the Roman church; and admitting his authority to impose rites and ceremonies not mentioned in Scripture, it is not easy to give a reason why fifty should not be enjoined as well as five.

The managers went on next to the second branch of their charge, to prove the archbishop's design to subvert the Protestant religion, by countenancing and encouraging sundry doctrinal errors in favour of Arminianism* and Popery.

* The reader has seen, in the preceding part of this reign, and in that of James I. how Arminianism became connected with the politics of the time. There is no natural

And here they charged him, first, "with being the great patron of that part of the clergy who had declared themselves in favour of these errors, and with procuring their advancement to the highest stations in the church, even though they were under censure of parliament, as Dr. Manwaring, Montague, &c. They averred, that the best preferments in his majesty's gift, ever since the archbishop's administration in 1627, had by his advice been bestowed on persons of the same principles; and that he had advised the king to publish a declaration, prohibiting the clergy to preach on the five controverted points, by virtue of which the mouths of the orthodox preachers were stopped, and some that ventured to transgress the king's declaration were punished in the high-commission, when their adversaries were left at large to spread their opinions at their pleasure."

The archbishop answered, that he had not defended any points of Arminianism, though he heartily wished, for the peace of Christendom, that these differences were not pursued with such heat and animosity.* He confessed that he had been taxed in a declaration of the house of commons as a favourer of Arminians, but without proof, and he took it as a very great slander. Nor had he, to the best of his remembrance, advanced any such to ecclesiastical livings; if they proved so afterward it was more than he could foresee; but he had preferred divers orthodox ministers, against whom there was no exception. He denied that he had any hand in the preferment of Dr. Manwaring or Montague, who were under censure of parliament, nor is the pocket-

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or necessary union between Arminianism and despotism. And at the same time that the court in England protected and patronised the Arminians, and in return received from them a sanction to its arbitrary views; the reverse took place in Holland: where the Arminians, favoured by the magistrates of the states, opposed the aspiring designs of the stadtholder Maurice; and the Calvinists, on the contrary, who were there called Gomarists, espoused his interest, and seconded his ambitious and arbitrary measures against the liberty of their country. These have continued the dominant party to this day: and the most violent of them have not only the sway in the church, but their favour is courted by the prince, who finds his interest advanced by a connexion with them. In this instance the Dutch Calvinists, while they maintain all the rigour of his theological system, have greatly and ignominiously deviated from the political principles of their illustrious founder; whose character as a legislator, more than as a divine, displayed the strength of his genius; and whose wise edicts were dictated by genuine patriotism and the spirit of liberty. Appendix to the 12th vol. of the Monthly Review enlarged, p. 523; and Rousseau's Social Compact, p. 112, note.—Ed.

* Laud's Hist. p. 352. Prynne, p. 529.

book a sufficient proof of it; he was of opinion, that Neal, Lindsey, Wren, Bancroft, Curle, and others mentioned in the charge, were worthy men, and every way qualified for their preferments, though it does not appear he had any hand in bestowing them. As for the king's declaration prohibiting the clergy to preach the five points, it was his majesty's own, and not his; and since the publishing of it he had endeavoured to carry it with an equal hand, and to punish the transgressors of it on one side as well as the other.*

The commons replied, that they wondered at the archbishop's assurance in denying his endeavours to promote Arminianism in the church; that the remonstrance of the commons was a sufficient evidence of his guilt, being confirmed by many proofs, though his answer to it proved so full of bitterness and sauciness, as throwing scandal on the whole representative body of the nation.†

As to the particulars, they say, that his preferring Mr. Downham and Taylor, orthodox men, to some benefices, was only a blind to cover his advancing so many popishly-affected clergymen. It is known to all the world that Montague and Manwaring were his creatures; the pocket-book says, that his majesty's royal assent to their preferment was signed by order of this prelate (when only bishop of London), and himself was the person that consecrated them. It would be too long to go into particulars, but every body knows, that the disposal of all or most of the bishopricks, deaneries, and considerable benefices since the year 1627, have been under the direction of this archbishop; and what sort of persons have been preferred is apparent to all men, by the present distracted condition of the church and universities.

The king's declaration for prohibiting preaching on the five controverted points, was an artifice of the archbishop's to introduce the Arminian errors, by preventing orthodox ministers from awakening the minds of people against them. And whereas he avers, that he has carried it with an even hand, and could bring witnesses from Oxford to prove it, we challenge him to name one scholar or minister that was ever imprisoned, deprived, silenced, prosecuted in the high-commission, or cast out of favour on this account; there

* Prynne, p. 508. † Ibid. p. 529.

was indeed one Rainsford an Arminian, who, in the year 1632, was obliged publicly to confess his error in disobeying his majesty's declaration, and that was all his punishment; whereas great numbers of the other side have been persecuted, so as to be forced to abandon their native country, at a time when the most notorious and declared Arminians were advanced to the best preferments in the church, as Montague made a bishop, Harsnet an archbishop, Lindsey promoted to two bishopricks, Potter to a deanery, and Duppa to a deanery and bishoprick, and made tutor to the prince, &c.*

The managers objected farther to the archbishop, "that having obtained the sole licensing of the press, by a declaration of the star-chamber in the year 1637, he had prohibited the reprinting sundry orthodox books formerly printed, and sold by authority, as the Geneva Bible with notes, Gellibrand's Protestant Almanack, in which the Popish saints were left out of the calendar, and Protestant martyrs put in their places; that his chaplains had refused to license the Confession of Faith of the Palatine Churches, Fox's Book of Martyrs, bishop Jewel's works, some part of Dr. Willet's, and the History of the Gunpowder-Treason, as was attested by the clerks of Stationers' hall; and this reason given for the refusal, that we were not now so angry with the Papists as formerly, and therefore it was not proper to exasperate them, there being a design on foot to win them by mildness. That the archbishop had suppressed sundry new books written against Arminianism and Popery, and had castrated others, expunging such passages as reflected upon the superstition and idolatry of that church;"† a large catalogue of which the commons produced; many authors appeared in maintenance of this part of the charge, and among others, Dr. Featly, Dr. Clarke, Dr. Jones, Mr. Ward, &c.‡ It was said in particular, "that he had expunged divers passages, which bore hard upon the Papists, out of the collection of public prayers for a general fast against the plague; and that in the prayer-book appointed by authority for the 5th of November, instead of 'Root out that Babylonish and antichristian sect, whose religion is rebellion, whose faith is faction, and whose prac-

* Prynne, p. 172. 511.
† Ibid. p. 179, 180. 182, &c.
‡ Ibid. p. 254, 255. 257, 258, &c.

tice is murdering of soul and body;' he had altered that passage, and artfully turned it against the Puritans, thus, 'Root out the antichristian sect of them, who turn religion into rebellion, and faith into faction.'

"And as the archbishop had castrated some books, because they refuted the doctrines he would countenance; so he gave full licence to others, wherein the grossest points of Arminianism and Popery were openly asserted; as Cosins's Hours of Prayer, Sale's Introduction to a Devout Life, Christ's Epistle to a Devout Soul, and others, in which the following doctrines were maintained; (1.) The necessity of auricular confession, and the power of priests to forgive sins. (2.) The lawfulness and benefit of Popish penance, as wearing hair-cloth, and other corporal punishments. (3.) Absolute submission to the commands of priests as directors of conscience. (4.) That in the sacrament, the body and blood of Christ is a true and proper sacrifice; that the natural body and blood of Christ is really and substantially present in the eucharist; and that there can be no true sacrament or consecration of it where there is no altar. (5.) That crucifixes, images, and pictures, may be lawfully set up in churches, and ought not to be removed. (6.) That the pope is not antichrist. (7.) That there are venial sins. (8.) That there is a purgatory or *limbus patrum*. (9.) That the relics of saints are to be preserved and reverenced. (10.) That the Virgin Mary and saints are to be invoked and prayed to. (11.) That the church of Rome is the mother-church, and never erred in fundamentals. (12.) That there are written traditions of equal authority with the word of God."* To which were added, sundry articles of Arminian doctrine, as of free-will, total and final apostacy from grace; examples of which the managers produced from the several authors.

And as a farther encouragement to Popery, they objected his grace's "conniving at the importation of Popish books, and restoring them to the owners when seized by the searchers, contrary to the statute of 3 Jacob. I. by which means many thousands of them were dispersed over the whole kingdom; whereas he gave the strictest commands to his officers to seize all imported Bibles with notes, and all books against Arminian and Popish innovations. All

* Prynne, p. 188. 202.

which put together amount to no less than a demonstration of the archbishop's design to subvert our established religion, by introducing doctrinal Arminianism and Popery."*

The archbishop answered, that the decree of the star-chamber for regulating the press was the act of the whole court, and not his; that the stationers themselves gave him thanks for it; and he is still of opinion, that it was both a necessary and useful act, being designed to suppress seditious, schismatical, and mutinous books.† As to the particulars, he replied, that the Geneva Bible was only tolerated, not allowed by authority, and deserved to be suppressed for the marginal note on Exod. i. 17, which allows disobedience to the king's command. Gellibrand's Almanack had left out all the saints and apostles, and put in those named by Mr. Fox, and therefore deserved to be censured. As to the Book of Martyrs, it was an abridgment of that book I opposed (says his grace), lest the book itself should be brought into disuse, and lest any thing material should be left out. But the licensing of books was left in general to my chaplains, for an archbishop had better grind, than take that work into his own hands; and whereas it has been inferred, that what is done by my chaplain must be taken as my act, I conceive no man can by law be punished criminally for his servant's fact, unless it be proved that he had a hand in it.

The like answer the archbishop gave to the castrating and licensing books,—his chaplains did it; and since it was not proved they did it by his express command, they must answer for it. He admits, that he altered the prayers for the 5th of November, and for the general fast by his majesty's command; and he is of opinion the expressions were too harsh, and therefore ought to be changed.

He denied that he ever connived at the importation of Popish books; and if any such were restored to the owners, it was by order of the high-commission, and therefore he is not answerable for it.

The commons replied, that the decree for regulating the press was procured by him with a design to enlarge his jurisdiction; and though some things in it might deserve the thanks of the stationers, they complained loudly that books formerly printed by authority, might not be reprinted with-

* Prynne, p. 349. † Laud's History, p. 350.

out a new licence from himself.*—As to particulars, they affirm that the Geneva Bible was printed by authority of queen Elizabeth and king James, *cum privilegio;* and in the 15th Jacob. there was an impression by the king's own printer, notwithstanding the note upon Exodus, which is warranted both by fathers and canonists. Gellibrand's Almanack was certainly no offence, and therefore did not deserve that the author should be tried before the high-commission; and if the queen and the Papists were offended at it, it was to be liked never the worse by all good Protestants. The archbishop is pleased, indeed, to cast the whole blame of the press on his chaplains; but we are of opinion (say the managers) that the archbishop is answerable for what his chaplains do in this case; the trust of licensing books being originally invested in him, his chaplains being his deputies, he must answer for them at his peril. When the archbishop of York in the reign of Edward I. was questioned in parliament, for excommunicating two servants of the bishop of Durham, employed in the king's service, the archbishop threw the blame on his commissary, who was the person that excommunicated them; but it was then resolved in parliament, that the commissary's act was his own, and he was fined four thousand marks to the king. Now the commissary was an officer established by law; but the archbishop's chaplains are not officers by law, and therelore dare not license any thing without his privity and command.

Besides, it is apparent these books were castrated by the archbishop's approbation, for otherwise he would have punished the licencers, printers, and publishers, as he always did when information was given of any new books published against the late innovations. His grace has forgot his refusing to license the Palatine Confession of Faith, which is his peculiar happiness when he can make no answer; and it looks a little undutiful in him to cast the alteration of the prayers for November 5 on the king, when every body knows by whom the king's conscience was directed.†

And whereas the archbishop denies his conniving at the importation of Popish books, he does not so much as allege that he ordered such books to be seized as he ought to have done; he confesses that such books as were seized, had been restored by order of the high-commission, whereas it

* Prynne, p. 515. † Ibid. p. 522.

has been sworn to be done by his own order; but if it had not, yet he being president of that court ought to have crossed those orders, that court not daring to have made any such restitutions without his consent; so that we cannot but be of opinion that the whole of this charge, which shews a manifest partiality on the side of Arminianism and Popery, and the strongest and most artificial attempts to propagate these errors in the nation, still remains in its full strength.

The managers went on to charge the archbishop with his severe prosecution of those clergymen, who had dared to preach against the dangerous increase of Arminianism and Popery, or the late innovations; they instanced in Mr. Chauncy, Mr. Workman, Mr. Davenport, and others; some of whom were punished in the high-commission for not railing in the communion-table, and for preaching against images: and when Mr. Davenport fled to New-England to avoid the storm, the archbishop said, his arm should reach him there. They objected farther, his suppressing afternoon-sermons on the Lord's day, and the laudable design of buying in impropriations, which was designed for the encouraging such lecturers."*

The archbishop answered, that the censures passed on the ministers above mentioned, was the act of the high-commission and not his: and he confesses their sentences appeared just and reasonable, inasmuch as the passages that occasioned them, were against the laudable ceremonies of the church, against the king's declaration, tending to infuse into the minds of people groundless fears and jealousies of Popery, and to cast aspersions on the governors of the church; that therefore, if he did say, his arm should reach Mr. Davenport in New-England, he sees no harm in it, for there is no reason that the plantations should secure offenders against the church of England, from the edge of the law; and he meddled with none except such as were Puritanical, factious, schismatical, and enemies to the good orders of the church.†

As to the suppressing afternoon-sermons, the instructions for turning them into catechising was before his time, and he could not but approve of the design, as a proper expe-

* Prynne, p. 361, 362, &c. † Laud's Hist. p. 332, 348.

dient for preserving peace between ministers and people, the lecturers being for the most part factious, and the occasion of great contentions in the parishes where they preached.*

He confessed, that he overthrew the design of buying up impropriations, and thanked God he had destroyed it, because he conceived it a plot against the church, for if it had succeeded, more clergymen would have depended on these feoffees than on the king, and on all the peers and bishops besides; but he proceeded against them according to law, and if the sentence was not just, it must be the judges' fault and not his.

The commons replied, that it was notorious to all men how cruel he had been towards all those who had dared to make a stand against his proceedings. They put him in mind of Prynne, Burton, and Bastwick, and of great numbers whom he had forced into Holland, and into the plantations of America, to avoid the ruin of themselves and families; yea, so implacable was this prelate, that he would neither suffer them to live in the land nor out of it, an embargo being laid on all ministers going to New-England; and if any such got over clandestinely, he threatened his arm should reach them there. In vain does he shelter his severe proceedings under the authority of the court, for if this plea be admitted, no corrupt judges or counsellors can be brought to justice for the most arbitrary proceedings; but in reality, the act of the court is the act of every particular person that gives his vote for it, and every individual member is accountable. Many instances of this might be produced; but there has been one very lately, in the case of ship-money, which is fresh in the memory of all men; and we do aver, that the sermons or books, for which the above-mentioned persons suffered so severely, were neither factious nor seditious, but necessary for these times, wherein the Protestant religion runs so very low, and superstition and Popery are coming in like a flood.†

As to the instructions for suppressing afternoon-sermons, whensoever they were drawn up, it is evident he was the man that put them in execution, and levelled them against those conscientious persons who scrupled reading the prayers in their surplice and hood, or taking a living with cure

* Prynne, p. 537. † Ibid. p. 335, &c.

of souls, all such persons, how orthodox soever in doctrine, or how diligent soever in their callings, and pious in their lives, being reputed factious, schismatical, and unworthy of the least employment in the church.*

As to the impropriations, there was no design in the feoffees to render the clergy independent on the bishops, for none were presented but conformable men, nor did any preach but such as were licensed by the bishop; indeed, the design being to encourage the preaching of the word of God, the feoffees were careful to employ such persons as would not be idle; and when they perceived the archbishop was bent on their ruin, Mr. White went to his grace, and promised to rectify any thing that was amiss, if the thing itself might stand. But he was determined to destroy it, and by his mighty influence obtained a decree, that the money should be paid into the king's exchequer, by which an end was put to one of the most charitable designs for the good of the church, that has been formed these many years.†

The last charge of the managers was, "his grace's open attempts to reconcile the church of England with the church of Rome, as appears, first, by the Papal titles he suffered the universities to give him in their letters, as 'sanctitas vestra,' your holiness; 'sanctissime pater,' most holy father; 'Spiritus Sancti effusissime plenus,' full of the Holy Ghost; 'summus pontifex, optimus maximusque in terris,' &c. agreeably to this he assumed to himself the title of patriarch, or pope of Great Britain, 'alterius orbus papa;' which gave the Romanists such an opinion of him, that they offered him twice a cardinal's hat; though, as things then stood, he did not think it prudent to receive it.‡ But sir H. Mildmay and sir N. Brent swore, that both at Rome and elsewhere, he was reputed a Papist in his heart;§ which opinion was not a little confirmed, (1.) By his forbidding the clergy to pray for the conversion of the queen to the Protestant faith. (2.) By his owning the church of Rome to be a true church; by denying the pope to be antichrist, and wishing a reconciliation with her; and affirming that she never erred in fundamentals, no, not in the worst of times. (3.) By his sowing discord between the church of England and foreign Protestants, not only by taking away the privileges and immunities

* Prynne, p. 370. 537, 538.
† Ibid. p. 537.
‡ Ibid. p. 441.
§ Ibid. p. 409, &c.

of the French and Dutch churches in these kingdoms, but by denying their ministers to be true ministers, and their churches true churches. (4.) By maintaining an intimate correspondence with the pope's nuncio and with divers priests and Jesuits, conniving at the liberties they took in the Clink, and elsewhere, and threatening those pursuivants who were diligent in apprehending them; to all which they added, the influence the archbishop had in marrying the king to a Papist, and his concealment of a late plot to reduce these kingdoms to Popery and slavery."*

To this long charge the archbishop gave some general answers, in satirical and provoking language: My lords (says he), I am charged with an endeavour to reconcile the church of England to the church of Rome; I shall recite the sum of the evidence, and of the arguments to prove it. (1.) I have reduced several persons from Popery, whom I have named in my speech; ergo, I have endeavoured to bring in Popery. (2.) I have made a canon against Popery, and an oath to abjure it; ergo, I have endeavoured to introduce it. (3.) I have been twice offered a cardinalship and refused it, because I would not be subject to the pope; ergo, I have endeavoured to subject the church of England to him. (4.) I wrote a book against Popery; ergo, I am inclinable to it. (5.) I have been in danger of my life from a Popish plot; ergo, I cherished it, and endeavoured to accomplish it. (6.) I endeavoured to reconcile the Lutherans and Calvinists; ergo, I laboured to bring in Popery.†

To the particulars he replied, that whatever Papal power he had assumed, he had assumed it not in his own right, as the popes did, but from the king. That the style of holiness was given to St. Augustine, and others, and therefore not peculiar to the pope; why then should so grave a man as Mr. Brown (says he) disparage his own nation, as if it were impossible for an English bishop to deserve as good a title as another? As for the other titles, they must be taken as compliments for my having deserved well of the university; but after all, it is one thing to assume Papal titles, and another to assume Papal power. As to the title of patriarch, or pope of the other world; it is the title that Anselm says belongs to the archbishop of Canterbury, and not so great

* Prynne, p. 539.

† Laud's Hist. p. 285, 286, 325, &c. Prynne, p. 543. Laud's Hist. p. 418, 419.

a one as St. Jerome gave to St. Augustine, when he wrote to him with this title, Beatissimo papæ Augustino. I confess I have been offered a cardinal's hat, but refused it, saying, I could not accept it till Rome was otherwise than it now is. If, after this, others will repute me a Papist, I cannot help it.* I hope I shall not be answerable for their uncharitableness. Sir Henry Mildmay will witness how much I am hated and spoken against at Rome. It does not appear that I forbade ministers praying for the queen's conversion; but when I was told the queen was prayed for in a factious and seditious manner, I referred the matter to my visitors, and do acknowledge that Mr. Jones was punished in the high-commission on this account.†

To the objection, of the church of Rome's being a true church, I confess myself of that opinion, and do still believe, that she never erred in fundamentals, for the foundations of the Christian religion are in the articles of the creed, and she denies none of them; and it would be sad if she should, for "it is through her that the bishops of the church of England, who have the honour to be capable of deriving their calling from St. Peter, must deduce their succession."‡ She is therefore a true church, though not an orthodox one; our religion and theirs is one in essentials, and people may be saved in either. It has not been proved, that I deny the pope to be antichrist, though many learned men have denied it; nor do I conceive that our homilies affirm it; and if they did, I do not conceive myself bound to believe every phrase that is in them. I confess, I have often wished a reconciliation between the churches of England and Rome in a just and Christian way; and was in hopes in due time to effect it; but a reconciliation without truth and piety I never desired.§

To the objection of the foreign Protestant churches, I deny that I have endeavoured to sow discord between them, but I have endeavoured to unite the Calvinists and Lutherans; nor have I absolutely unchurched them. I say indeed,

* It may be pertinent to observe here, that, though Laud did not approve the doctrinal articles of the church of Rome, "it is possible that one who dislikes many points of the Romish faith, may yet be very fond of introducing her tyrannical government, and, in order to it, of amusing the poor laity with the long train of her gaudy and mysterious ceremonies; that while they stand foudly gazing at this lure, and are busied about impertinencies, they may the more easily be circumvented in irrecoverable bondage by men of deeper but more mischievous designs." Memoirs of Hollis, vol. 2. p. 578.—Ed.

† Laud's History, p. 383. ‡ Ibid. p. 392. § Prynne, p. 556.

in my book against Fisher, according to St. Jerome, No bishop, no church; and that none but a bishop can ordain, except in cases of inevitable necessity; and whether that be the case with the foreign churches, the world must judge.* The judgment of the church of England is, that church-government by bishops is unalterable, for the preface to the book of ordination says, that from the apostles' time there have been three orders of ministers in the church, bishops, priests, and deacons; now if bishops are the apostles' successors, and have continued in the church above sixteen hundred years, what authority have any Christian states to deprive them of that right which Christ has given them? As to the French and Dutch churches in this kingdom, I did not question them for their ancient privileges, but for their new encroachments, for it was not the design of the queen [Elizabeth] to harbour them, unless they conformed to the English liturgy; now I insisted on this only with respect to those who were of the second descent, and born in England; and if all such had been obliged to go to their parish-churches as they ought, they would not have done the church of England so much harm as they have since done.†

To the fourth objection I answer, that I had no intimate correspondence with priests or Jesuits, nor entertained them at my table, knowing them to be such. I never put my hand to the releasing any priest out of prison, nor have I connived at the liberties they assumed; the witnesses who pretended to prove this are either mean persons, or strongly prejudiced; and to most of the facts there is but one witness. As to the nuncios from Rome, it was not in my power to hinder their coming, the king having condescended to it, at the earnest request of the queen; nor had I any particular intimacy with them whilst they were here; nor do I remember my checking the pursuivants in doing their duty. But if it could be supposed that I said, I will have nothing to do with any priest-catching knaves, I hope the words are not treason; nor is it any offence not to be a persecutor, or not to give ill language to Jesuits; and I do affirm, that I never persecuted any orthodox ministers or Puritans, though I may have persecuted some for their schisms and misdemeanours.‡

* Laud's Hist. p. 374. Prynne, p. 540. † Ibid. p. 378.
Laud's Hist, p. 394.

As to the king's marrying, it is not proved that I had any hand in it, though I acknowledge the duke of Buckingham did me the honour to make me his confessor. Nor did I conceal the late plot to bring in Popery, but discovered it to the king as soon as I had intelligence of it; for the truth of which I appeal not only to my letters, but to the earl of Northumberland here present; who stood up, and said, he remembered no such thing.

The commons replied to the archbishop's general defence, that he had been fighting with his own shadow, for they never objected those things to him for the purposes which he mentions; they never objected his reducing any from Popery, but that many were hardened in it by his means. Nor did they object the canons or oath to prove him guilty of introducing Popery, but to quite different purposes. So that the archbishop in these, and the other particulars above mentioned, has given us a specimen of his sophistry and Jesuitism, transforming his own defence into our charge and evidence, and making our objections stand as proofs of a fact, which they were not in the least intended to support.*

To the particulars they replied, that the titles he had assumed were peculiar to the Papacy; that they were never assumed by any Protestant archbishop before himself; nay, that in the times of Popery there are hardly any examples of their being given to English bishops, and that it is blasphemy to give the title of holiness in the abstract to any but God himself: the archbishop therefore ought, in his answers to the letters of the university, to have checked them, whereas he does not so much as mention these exorbitancies, nor find the least fault with them. And though there be a difference between Papal title and Papal power, yet certainly his claiming the title of "alterius orbis papa," pope of the other world, is a demonstration that he was grasping at the same power in Great Britain, as the pope had in Italy; and though, for prudent reasons, he refused the cardinal's hat when it was offered, yet when he had made his terms, and accomplished that reconciliation between the two churches that he was contriving, no doubt he would have had his reward. Sir Henry Mildmay being summoned, at the archbishop's request, to give in evidence, how much he was hated and spoke against at Rome, swore that when he was at Rome

* Prynne, p. 543.

some of the Jesuitical faction spoke against the archbishop, because they apprehended he aimed at too great an ecclesiastical jurisdiction for himself; but the seculars commended and applauded him, because of the near approaches he made to their church, and shewed himself favourable to their party. The like evidence was given by Mr. Challoner, and others.*

And whereas the archbishop had said, that it was not proved, that he forbid ministers to pray for the queen's conversion, the managers produced Mr. Hugh Radcliffe, of St. Martin's, Ludgate, who swore that sir Nathaniel Brent, his vicar-general, at a visitation at Bow-church, gave in charge to the clergy in his hearing, these words, "Whereas divers of you, in your prayers before sermon, used to pray for the queen's conversion, you are to do so no more, for the queen does not doubt of her conversion."† And both before and after, the archbishop himself caused Mr. Bernard, Mr. Peters, and Mr. Jones, to be prosecuted in the high-commission on this account.‡ The archbishop having said, that he never put his hand to the releasing any priest out of prison, the managers produced a warrant under his own hand, dated January 31, 1633, for the release of William Walgrave, deposed to be a dangerous seducing priest, in these words:

"These are to will and command you, to set at full liberty the person of William Walgrave, formerly committed to your custody, and for your so doing this shall be your sufficient warrant.

"W. Cant. R. Ebor."

But the archbishop's memory frequently failed him on such occasions.

His grace confesses the church of Rome to be a true church, whereas we aver her to be a false and antichristian one, for she has no sure foundation, no true head, no ordinances, sacraments, or worship, no true ministry, nor government of Christ's institution; she yields no true subjection to Christ's laws, word, or spirit, but is overspread with damnable errors in doctrine, and corruptions in manners and worship, and is therefore defined by our homilies to be a false church. Must she not err in fundamentals, when she affirms the church to be built on Peter, not upon Christ, and resolves our faith into the church, and not into the Scrip-

* Prynne, p. 413. † Ibid. p. 418. ‡ Ibid. p. 414.

tures? when she deifies the Virgin Mary and other saints by giving them divine worship, and obliges us to adore the consecrated bread in the sacrament as the very body and blood of Christ; when she denies the cup to the laity, obliges people to pray in an unknown tongue, and sets up a new head of the church instead of Christ, with the keys of the kingdom of heaven at his girdle? What are these but fundamental errors, which nullify the church that maintains them! The religion of the church of Rome and ours is not one and the same; for theirs is no Christian religion, but a heap of superstition and idolatry; and his affirming salvation may be had in that church, is contrary to the opinion of our best Protestant writers, who make her damnable errors the foundation of our separation from her. And though the archbishop makes light of his not believing the pope to be antichrist, we do aver, that our statutes and homilies do either in direct or equivalent expressions define him to be antichrist, and particularly in the subsidy act, 3 Jac. penned by the convocation.

But can any thing more fully demonstrate the archbishop's design to reconcile the church of England with Rome, than his own confession? He says, he has laboured this matter with a faithful and single heart (Reply to Fisher, p. 388), though not to the prejudice of truth and piety. But it must be observed, that the archbishop's design was not to bring over the church of Rome to us, but to carry us over to them; and what large advances he has made that way, appears by his setting up altars, crucifixes, images, and other innovations. What advance has the church of Rome made towards us? why, none at all; nor is it possible she should, till she lays aside her infallibility. The pretence, therefore, of the church of Rome's meeting us halfway, was a mere blind to deceive the people of England, till he had carried them wholly over into her territories.*

The archbishop has denied his endeavours to sow discord among foreign Protestants, and asserted his endeavours to reconcile the Lutherans and Calvinists, though he has produced no evidence of it; but his late behaviour towards the Scots, on the account of their having no bishops, and to the foreign settlements among ourselves, is a sufficient proof of the contrary. The maxim that he cites from St. Jerome,

* Prynne, p. 552, &c.

No bishop, no church, is a plain perverting of his sense, for his words are, "Ubi non est sacerdos, non est ecclesia;" but it is well known that, according to St. Jerome, bishops and presbyters are one and the same in jurisdiction and office, and presbyters have the power of ordination as well as bishops; and therefore this is a conclusion of the archbishop's framing, which, if it be true, must necessarily unchurch all the foreign reformed churches, and render all the ordinations of their ministers invalid, which is a sufficient evidence of his enmity to them.*

As to the French and Dutch churches, who were settled by charter in the reign of king Edward VI. Mr. Bulteel's book, of the manifold troubles of those churches by this archbishop's prosecutions, evidently proves, that he invaded and diminished their ancient immunities and privileges in all parts; and that he was so far from being their friend, that they accounted him their greatest enemy.

To the fourth objection, relating to the archbishop's correspondence with Popish priests, we reply, that the archbishop's intimacy with sir Toby Mathew, the most active Jesuit in the kingdom, has been fully proved; that he was sometimes with him in his barge, sometimes in his coach, sometimes in private with him in his garden, and frequently at his table.† The like has been proved of Sancta Clara, St. Giles Leander, Smith, and Price, and we cannot but wonder at his denying that he knew them to be priests, when the evidence of his knowledge of some of them has been produced under his own hand; and the witnesses for the others were no meaner persons than the lords of the council, and the high-commissioners (among which was himself), employed to apprehend priests and delinquents; from whence we conclude, that all the archbishop's predecessors, since the Reformation, had not half the intimacy with Popish priests and Jesuits as himself, and his harbouring some of them that were native Englishmen, is within the statutes of 23 Eliz. cap. 1, and 27 Eliz. cap. 2. It is very certain that the liberty the Jesuits have enjoyed in prison, and elsewhere, was owing to his connivance; and though the archbishop is so happy as not to remember his checking the officers for their diligence in apprehending Popish priests, yet his distinction between not persecuting Papists, and pro-

* Prynne, p. 541. † Ibid. p. 448. 456. 559. 561.

secuting Puritans, besides the quibble, is an unanswerable argument of his affection to the one beyond the other.*

The managers produced six or eight witnesses, to prove the archbishop's discountenancing and threatening such as were active in apprehending priests and Jesuits. And though he would wash his hands of the affair of the pope's nuncio residing here in character, and holding an intimate correspondence with the court, because himself did not appear in it, yet it is evident, that secretary Windebank, who was the archbishop's creature and confidant, held and avowed correspondence with them. If he had no concern in this affair, should he not, out of regard to the Protestant religion, and church of England, even to the hazard of his archbishopric, have made some open protestation, when Gregorio Panzani resided here in character two years; Gregory Con, a Scot, for three years and two months; and last of all, count Rosetti, till driven away by the present parliament.†

It has been sufficiently proved, that the archbishop was concerned in the Spanish and French matches, and in the instructions given to the prince at his going to Spain, to satisfy the pope's nuncio about king James's having declared the pope to be antichrist; for the duke of Buckingham was the prince's director, and himself acknowledged that he was the duke's confessor.

And as to the late plots of Habernfield, we have owned, in our evidences, that at first he discovered it to the king, because he imagined it to be a plot of the Puritans, but when he found the parties engaged in it to be Papists, and among others, secretary Windebank and sir Toby Mathew his own creatures, he then concealed his papers, called it a sham plot, and brow-beat the informers, whereas he ought at least to have laid it before the parliament, that they might have sifted it to the bran. But that it was a real plot, his own Diary, together with our latter discoveries, fully prove; and his concealment of it, we conceive to be a high and treasonable offence, tending to subvert the Protestant religion, and subject us to the church of Rome.‡

Thus, we humbly conceive, we have made a satisfactory reply to all the archbishop's answers, and have fully made good the whole of our charge, namely, that the archbishop

* Pryune, p. 448. 458. † Ibid. p. 446. ‡ Ibid. p. 564, &c.

has traitorously endeavoured to destroy our civil liberties, and to introduce tyranny and arbitrary power; and, secondly, that he has endeavoured to subvert the Protestant religion established by law in these kingdoms, and to subject us to the church of Rome; wherefore we do, in the name of all the commons of England, pray judgment against him as a traitor.

Before the archbishop withdrew from the bar, he moved the lords, that considering the length of his trial,* and the distance of time between the several days of hearing, they would allow him a day that he might set before their lordships in one view, the whole of the commons' charge, and his defence; to which they condescended, and appointed September 2, which was five weeks from the last day of his trial.† When the archbishop appeared at the bar, he began with a moving address, beseeching their lordships to consider his calling, his age, his long imprisonment, his sufferings, his patience, and the sequestration of his estate. He then complained, (1.) Of the uncertainty and generality of the commons' charge. (2.) Of the short time that was allowed him for his answer. (3.) That he had been sifted to the bran, and had his papers taken from him. (4.) That the things he had taken most pains in, were for the public good, and done at his own great expense, as the repair of St. Paul's, and the statutes of Oxford. (5.) That many of the witnesses were sectaries and schismatics, whereas, by the canon law, no schismatic should be heard against his bishop. He complained also of the number of witnesses produced against him, which were above one hundred and fifty; whereas the civil law says, that the judges should moderate things so as no man should be oppressed with the multitude of witnesses. (6.) That he had been charged with passionate and hasty words, which he hopes their lordships will pardon as human frailties. (7.) That other men's actions had been laid to his charge, as those of his chaplains, and the actions of the high-commission and star-chamber, which, he insists,

* It had been drawn out through more than three months, and he had been often, when summoned before the lords, sent back unheard. This had, needlessly, exposed him to the scorns and revilings of the people, and to an expense which he could ill bear; for he never appeared but it cost him 6 or 7*l.* per day. His estate and goods had been sequestered; and it was not till towards the end of his trial, and after repeated solicitations, that the commons allowed him 200*l.* to support his necessary expenses. *Macaulay's History of England, vol. 4. p. 138, note.*—Ed.

† Laud's *History*, p. 412. 419.

cannot by any law be put upon him, it being a known rule, "Refertur ad universos quod publicè fit per majorem partem." He then went over the particular charges above mentioned, and concluded with a request, that when the commons had replied to the facts, his council might be heard as to matters of law. The commons replied to the archbishop's speech, September 11, and the same day his council delivered in these two queries, "(1.) Whether in all or any of the articles charged against the archbishop, there be contained any treason by the established laws of the kingdom? (2.) Whether the impeachment and articles did contain such certainties and particularities as are required by law in cases of treason?"* The lords sent down the queries to the commons, who, after they had referred them to a committee of lawyers, agreed that the archbishop's council might be heard to the first query, but not to the second. Accordingly, October 11, the archbishop being present at the bar, Mr. Hearn proposed to argue these two general questions.†

(1.) "Whether there be at this day any other treason than what is enacted by the statute 25 Edward III. cap. 2. or enacted by some other subsequent statute?"

(2.) "Whether any of the matters, in any of the articles charged against the archbishop, contain any of the treasons declared by that law, or enacted by any subsequent law?"

And for the clearing of both these he humbly insisted, that an "endeavour to subvert the laws, the Protestant religion, and the rights of parliament, which are the three general charges to which all the particulars alleged against the archbishop may be reduced, is not treason within the statute of 25 Edward III. nor any other particular statute."‡

In maintenance of this proposition, he contended, first, "That the particulars alleged against the archbishop were not within the letter of the statute of the 25th Edward III. and then argued, that the statutes of this land ought not to be construed by equity or inference, because they are declarative laws, and were designed for the security of the subject in his life, liberty, and estate; and because since the time of Henry IV. no judgment has been given in parliament for any treason not expressly contained or declared in that or some other statute, but by bill; from whence it

* Laud's History, p. 422. † Ibid. p. 423. ‡ Ibid. p. 424, 425.

will follow, that the particulars charged against the archbishop, being only an endeavour to subvert fundamental laws, are of so great latitude and uncertainty, that every action not warranted by law may be extended to treason, though there is no particular statute to make it so. If it be replied, that the statute of 25 Edward III. takes notice of compassing or imagining, we answer, it confines it to the death of the king; but an endeavour to subvert the laws of the realm is no determinate crime by the laws of England, but has been esteemed an aggravation of a crime, and has been usually joined as the result of some other offence below treason."*

"The like may be observed to the second charge, of endeavouring to subvert religion; it is not treason by the letter of any law established in this kingdom, for the statute of 1 Edward VI. cap. 12, makes it but felony to attempt an alteration of religion by force, which is the worst kind of attempt.†

"As to the third charge, of endeavouring to subvert the rights of parliament. We insist on the same reply that was made under the first head. We allow that by the statute of 5 Jac. cap. 4, it is provided that if any man shall put in practice to reconcile any of his majesty's subjects to the pope or see of Rome, it shall be deemed treason; but we conceive this does not reach the archbishop, because (1.) He is charged only with an endeavour, whereas in the statute it is putting in practice. (2.) Because the archbishop is charged with reconciling the church of England with the church of Rome, whereas in the statute it is reconciling any of his majesty's subjects to the see of Rome; now reconciling with, may as well be construed a reducing Rome to England, as England to Rome.

"Thus, says Mr. Hearn, we have endeavoured to make it appear, that none of the matters, in any of the articles charged, are treason within the letter of the law; indeed, the crimes, as they are laid in the charge, are many and great, but their number cannot make them exceed their nature; and if they be but crimes and misdemeanours apart, below treason, they cannot be made treason by putting them together."‡

These arguments of the archbishop's council staggered

* Laud's History, p. 427. † Ibid. p. 429. ‡ Ibid. p. 430.

the house of lords, nor could the managers for the commons satisfy them in their reply; they had no doubts about the truth of the facts, but whether any of them were treason by the laws of the land?*—this the judges very much questioned, and therefore the lords deferred giving judgment, till the commons thought fit to take another method to obtain it.

Various are the accounts of the archbishop's behaviour on his trial; his friends and admirers flatter him beyond measure, and said he perfectly triumphed over his accusers; and his grace seems to be of the same mind, when he tells us, that all men magnified his answer to the house of commons, but he forbore to set down in what language, because it was *high*.† Mr. Prynne allows, that "he made as full, as gallant, and pithy a defence, and spoke as much for himself, as was possible for the wit of man to invent; and that with so much art, sophistry, vivacity, oratory, audacity, and confidence, without the least blush, or acknowledgment of guilt in any thing, as argued him rather obstinate than innocent, impudent than penitent, and a far better orator and sophister than Protestant or Christian."‡ But then he imputes his boldness to the king's pardon, which he had in his pocket.

Bishop Burnet is of opinion, that "in most of the particulars the archbishop made but frivolous excuses; as, that he was but one of many,§ who either in council, star-

* We cannot allow ourselves to withhold here from our reader the just and important remarks of a late biographer of the archbishop. "It appears a great defect in the laws of a free and limited government, that an attempt to subvert the constitution and mode of government, should not be judicially deemed a capital offence, punishable as such. For, in a just and political sense, the man who endeavours to enslave his countrymen, to deprive them of their natural and legal rights and privileges, and instead of a free constitution of government, to introduce one that is arbitrary and despotic; such a man is undoubtedly guilty of as high a crime, and is as much a traitor to his country, as he who attempts to deprive the prince of the crown, and ought to be punished with equal severity." British Biography, vol. 4. p. 286. Nay, it may be added, that the severity of the punishment ought to be regulated by the more heinous guilt, which attaches itself rather to the former than to the latter conduct; by the latter conduct the blow is aimed at the rights and prosperity of one person, or at most of one family only; but the former conduct robs millions of their rights, and involves, in its effects, generations to come. Nor does it lessen the guilt, if men, instead of being the agents of prerogative, are the tools of influence; if, instead of being awed into a subserviency to the views of despotism, they are brought over to measures inimical to the liberties of the people.—Ed.

† Laud's History, p. 441. ‡ Prynne, p. 462.

§ To what bishop Burnet observes on this plea, it is pertinent to add the remarks of a late writer: "that if it were admitted, it would always be impracticable to bring a wicked minister of state to justice, for any proceedings in the privy council, to which the rest concurred; and that it would not be thought a proper justification of criminals of an inferior order, in any court of justice, if they were to allege, that there were other persons accomplices in the crimes with which they were accused." British Biography, vol. 4. p. 285.—Ed.

chamber, or high-commission, voted illegal things. Now though this was true, yet a chief minister, and one in high favour, determines the rest so much, that they are little better than machines acted by him. On other occasions he says, the thing was proved but by one witness. Now how strong soever this defence may be in law, it is of no force in an appeal to the world; for if a thing be true, it is no matter how full or defective the proof is."*

The archbishop himself has informed us of his great patience under the hard usage he met with at his trial; but his Diary furnishes too many examples to the contrary, for it appears from thence, that he sometimes gave the witnesses very rude language at the bar, insinuating to the court, that many of them were perjured; that their evidence was the effect of malice, envy, and a thirst after his blood. Sometimes he threatened them with the judgments of God, and once he was going to bind his sin upon one of them, not to be forgiven till he asked pardon; but he recovered himself. He is pleased sometimes to observe, that his crimes were proved only by one witness;† and yet at last he complains that he was oppressed with numbers, no less than one hundred and fifty,‡ and calls them "a pack of such witnesses, as were never produced against any man of his place and calling; pursuivants, messengers, pillory-men, bawds; and such as had shifted their religion to and again."§ And yet there were among them, men of the best fashion and quality in the kingdom, as sir H. Vane, sen. sir H. Mildmay, sir Wm. Balfore, sir Nath. Brent, vicar-general; sundry aldermen of the city of London, and many excellent divines, as Dr. Featly, Dr. Haywood the archbishop's chaplain, Mr. Dell his secretary, Mr. Osbaldeston, and others of an equal if not superior character. When his grace was checked at the bar for reflecting upon the witnesses, and put in mind by the managers that some of them were aldermen, some gentlemen, and some men of quality, he replied smartly, "That is nothing, there is not an active separatist in England but his hand is against me; both gentlemen, al-

* History of his Life, p. 50, or p. 68, edition in 12mo. at Edinburgh.

† Laud's History, p. 237.

‡ He also charged Prynne with keeping a school of instruction for the witnesses, and tampering with them in a most shameful manner. Macaulay's History of England, vol. 4. p. 137, note.—Ed.

§ Laud's History, p. 417.

dermen, and men of all conditions, are separated from the church of England, and I would to God some of my judges were not."*

After this it can hardly be expected, that the managers for the commons should escape his grace's censure; it must be admitted, that in the course of their arguments they made use of some harsh expressions, which nothing but the character they sustained could excuse;† but it was no argument of the archbishop's patience and discretion, to fight them at their own weapons. The managers were, serjeant Maynard, one of the ablest lawyers of his age; he lived to be the father of his profession; and when the prince of Orange [afterward king William III.] complimented him upon his having outlived all his brethren of the law, he made this handsome reply, that if it had not been for the wonderful revolution that his highness had brought about, he should have outlived the law itself. He managed the first part of the evidence March 13, 16, 18, and 28. "This gentleman (says the archbishop) pleaded, though strongly, yet fairly, against me."‡

Serjeant Wild was the son of serjeant George Wild, of Droitwich in Worcestershire; he was afterward reader of the Inner-Temple, a great lawyer of unblemished morals. After the restoration of king Charles II. he was made lord-chief-baron, and esteemed a grave and venerable judge.§

* Laud's History, p. 434.

† "Like true lawyers (says Mrs. Macaulay), they played their parts in baiting the unhappy prisoner with the most acrimonious and insulting language; like true lawyers, they took all the unfair advantages which their offices and other opportunities procured them; and like true lawyers, they put a forced and unwarrantable construction on all the facts which they cited against him." History of England, vol. 4. p. 137, 8vo.—Ed.

‡ Laud's History, p. 330.

§ The character of serjeant Wild is impeached, and the above account of his preferment is shewn to be inaccurate, by Dr. Grey. He was made lord-chief-baron of the exchequer (see Whitelocke's Memorials, p. 337) 12th October, 1648. In the protectorate of Cromwell he retired, and did not act. During the Rump parliament he was restored to the exchequer. After king Charles II. returned, he lived nine years in a retired condition. Wood's Athenæ Oxon. vol. 1. p. 808. On the authority of Wood, Dr. Grey charges him with having received 1,000*l.* out of the privy purse at Derby-house, for the condemnation of captain Burley, at Winchester, for causing a drum to beat up for God and king Charles, in the Isle of Wight, in order to rescue his captive king. The reader will judge what credit is due to this charge, when he is informed, that captain Burley was convicted, sentenced, and executed, according both to Wood and Whitelocke [Memorials, p. 290], in 1647, some months before serjeant Wild was made a judge. Another charge brought against him, from lord Clarendon and Wood, is, that he received another 1,000*l.* for the acquittance of major Rolfe, who had a design to murder or poison the king. That the reader may form his judgment on this charge, we will state the proceedings on the affair of

He managed that part of the evidence which concerned religion, May 20, 27; June 6, 11, 17, 20, and 27; July 20 and 24; but "this gentleman (says the archbishop), though he had language good enough sometimes, he had little or no sense. I had a character given me before of him, which I forbear to express, but by his proceedings with me I found it exactly true."*

Samuel Browne, esq. was an able and grave lawyer. In the reign of king Charles II. he was knighted and made lord-chief-justice of the common pleas; he summed up the whole evidence at the lords' bar. "His behaviour towards the archbishop was decent and civil, but his pleadings (according to his grace) very unfair."†

Robert Nicolas, esq. pressed the archbishop very hard, and therefore no wonder that he was displeased with him. The archbishop allows that he had some sense, but extreme virulent and foul language. He managed the second and fourth branches of the evidence, April 16, May 14, July 29. This gentleman happening to call the archbishop pander to the whore of Babylon; the archbishop bids him remember, "that one of his zealous witnesses against the whore of Babylon got all his means by being a pander to other lewd women, and was not long since taken in bed with one of his wife's maids. Good Mr. Nicolas (says he), do not dispense with all whores but the whore of Babylon!"‡

As for Mr. Hill the other manager, he is called *Consul Bibulus*, because he said nothing. Upon the whole the

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major Rolfe, as they are chronologically given by Whitelocke.—1648, June 23. A charge by Osborne against colonel Hammond and captain Rolfe, was ordered to be printed. July 11, A letter was received from colonel Hammond, desiring that Osborne's charge against Mr. Rolfe may come to a speedy hearing, it reflecting so highly upon the army and upon him; and being a horrid scandal, whereof he clears his own innocency and the officers of the army and Mr. Rolfe. Accommodations were ordered for Mr. Rolfe. August 1, Major Rolfe was bailed. August 12, At a conference with the lords about Mr. Rolfe, the commons alleged, that Mr. Rolfe was committed by their lordships without any cause in the warrant, and they found reason to clear him. August 31, The grand jury, at Southampton, found the bail against major Rolfe, *ignoramus*. September 9, There was an order for 150*l.* for Mr. Rolfe for his unjust imprisonment. Memoirs, p. 310. All these transactions appear to have taken place independently of serjeant Wild, and before he was preferred to be a judge. To these particulars it may be added, that the king himself acquitted colonel Hammond, involved in the same accusation with Rolfe, and professed a perfect confidence in him as a man of honour and trust. Memoirs, p. 315. The stress, which lord Clarendon, and after him Mr. Echard and Dr. Grey, have laid on this charge against serjeant Wild, will apologize for so minute an investigation of a matter, not essentially connected with the general truth of Mr. Neal's history.—Ed.

* Laud's History, p. 320, 330. † Ibid. p. 390. ‡ Ibid.

archbishop is of opinion, that the managers for the commons sought his blood, "and made false constructions, for which (says he) I am confident they shall answer at another bar, and for something else in these proceedings."*

Such was the unhappy spirit of this prelate, who "though he had seen the violent effects of his ill counsels, and had been so long shut up, and so much at leisure to reflect upon what had passed in the hurry of passion, and in the exaltation of his prosperity, yet (as bishop Burnet observes) he does not in any one point of his Diary acknowledge his own errors, nor mix any wise or pious reflections upon the unhappy steps he had made." It was, no doubt, a great mortification to his spirit to be exposed to the people, and to wait sometimes an hour or two before he was called to the bar; but as for his charity, and patience under his sufferings, I must leave it with the reader to form his own judgment.

While the proceedings against the archbishop were at a stand by reason of the lords being dissatisfied, whether the facts proved against him were treason by statute law; the citizens of London assembled, and presented a petition to the house of commons, October 28th, signed with a great number of hands, praying for speedy justice against delinquents, and particularly against the archbishop; which was no doubt an artful contrivance of his enemies. The commons, to prevent all farther delays, determined not to press the lords for judgment upon the trial, but ordered a bill of attainder to be brought in; and when it had been twice read, the archbishop was brought to the bar of the house of commons, to hear the evidence on which it proceeded, and to make what farther defence he thought proper. Mr. Browne summed up the charge November 2, and the archbishop had nine days given him to prepare his defence. November 11, he spoke for himself some hours at the bar of the house of commons, and Mr. Browne replied before the archbishop withdrew; after which the bill of attainder passed the house the very same day with but one dissenting voice, and that

* Laud's History, p. 271.

† It was greatly against the archbishop, that the management of the trial was assigned to Prynne, a man of sour and austere principles; whom Laud had made his enemy by the severe sentence of the star-chamber; and who, by his behaviour on this occasion, shewed, that he remembered and resented the share Laud had in inflicting his past sufferings.—Ed.

not upon the substance of the charge, but upon the manner of proceeding. The bill being sent up to the lords, they made an order December 4, "that all books, writings, &c. concerning the archbishop's trial, should be brought in to the clerk of the parliament," which being done, they examined over again all the heads and principal parts of the evidence, and voted each particular as they went forward; so tender were they of the life of this prelate, and so careful to maintain the honour and justice of their proceedings. When they had gone through the whole, they voted him guilty of all facts charged against him, in three branches, namely, "guilty of endeavouring to subvert the laws;——of endeavouring to overthrow the Protestant religion,——and the rights of parliaments." After this they sent a message to the commons, to desire them to answer the argument of the archbishop's council, as to the point of law, which they accordingly did at a conference January 2, when serjeant Wild, Mr. Browne, and Mr. Nicolas, having given the reasons of the commons for their attainder, the lords were satisfied, and January 4, passed the bill,* whereby it was ordained, that he should suffer death as in cases of high treason. To stop the consequence of this attainder, the archbishop produced the king's pardon under the great seal, signed April 19, 12th Car. but it was overruled by both houses. 1. Because it was granted before conviction. And, 2. If it had been subsequent, yet in the present case of treason they argued, that the king could not pardon a judgment of parliament, especially as the nation was in a state of war; for if the king's pardon was a protection, not a deserter, nor a spy, nor an incendiary of any kind against the parliament, would have suffered in his life or liberty.†

All the favour therefore the archbishop could obtain, was, upon his petition, to have his sentence altered from hanging to being beheaded on Tower-hill, which was appointed to be on Friday January 10, when the archbishop being conducted to the scaffold, attended by his chaplain Dr. Stern, and Mr. Marshal and Palmer, sent by the parliament,‡ read

* Dr. Grey will not allow the decree of the commons to be called "a bill." It was, in his opinion, an ordinance only, and that an imperfect one; because it was not supported by the royal assent, and therefore, he says, had no legal force at all.—Ed.

† Whitelocke's Memoirs, p. 117.

‡ It marks a virulent and bitter spirit in the conduct of this execution, that of the three clergymen, whose consolatory attendance and service at his exit Laud petition-

his last speech to the people,* which was a sort of sermon from Heb. xii. 2. "Let us run with patience the race that is set before us, looking unto Jesus, the author and finisher of our faith, who, for the joy that was set before him, endured the cross, despising the shame, and is set down at the right hand of the throne of God." In which he acknowledges himself to have been a great sinner; but having ransacked every corner of his heart, he thanks God, that he has not found any of his sins deserving death by any of the known laws of the kingdom, though he does not charge his judges, because they are to proceed according to evidence.——He thanks God that he is as quiet within as ever he was in his life, and hopes that his cause in heaven will look of another colour than it does here. "It is clamoured against me (says he) that I designed to bring in Popery, but I pray God that the pope do not come in, by means of these sectaries which clamour so much against me." As for the king, he assured the world, that he was as sound a Protestant as any man in the kingdom, and would venture as freely for it. He complains of the citizens for gathering hands to petitions, and particularly against himself, whereby they were bringing the guilt of innocent blood upon themselves and their city. He laments the ruin of the hierarchy, and concludes with declaring himself a true Protestant, according to the church of England established by law, and takes it upon his death, that "he never endeavoured the subversion of the laws of the realm, nor any change of the Protestant religion into Popish superstition; nor was he an enemy to parliaments."

In his last prayer he desires that God would give him patience to die for his honour, for the king's happiness, and the church of England. He then prays for the preservation of the king in his just rights; for the parliament in their ancient and just power; for the church, that it may be settled in truth and peace, and in its patrimony; and for the people, that they may enjoy their ancient laws, and other liber-

ed for, but one was allowed him; and this under the restraint of the inspection of two ministers appointed by parliament. Macaulay's History, vol. 4. p. 144.—Ed.

* "In this very performance (observes Mrs. Macaulay), which was executed with great art of composition, and likewise in his remarks on the charge which the Scots brought against him, he plainly shews that his adversity had not altered his opinions, nor corrected any one of his most mischievous prejudices; and that, had accident re-established him in his former plenitude of power, he would have run, to the end of his days, the same persecuting course for which he now suffered." History of England, vol. 4. p. 140.—Ed.

ties; and then, having forgiven his enemies, he concluded with the Lord's prayer. After which he gave his paper to Dr. Stern, saying, "Doctor, I give you this, to shew your fellow-chaplains, that they may see how I am gone out of the world, and God's blessing and his mercy be upon them." When the scaffold was cleared, he pulled off his doublet, and said, "God's will be done, I am willing to go out of the world; no man can be more willing to send me out." Then turning to the executioner he gave him some money, and bid him do his office in mercy; he then kneeled down, and after a short prayer, laid his head on the block, and said, "Lord Jesus, receive my spirit;" which being the sign, the executioner did his office at one blow.* The archbishop's corpse was put into a coffin, and by the permission of parliament buried in Barking-church, with the service of the church read over him. The inscription upon the coffin was this, "In hac cistula condunter Exuviæ Gulielmi Laud, archiepiscopi Cantuariensis, qui securi percussus immortalitatem adiit, die x° Januarii, ætatis suæ 72, archiepiscopatus xii." But after the Restoration, his body was removed to Oxford, and deposited with great solemnity in a brick vault, according to his last will and testament, near the altar of the chapel of St. John Baptist college, July 24, 1663.

Thus died Dr. William Laud, archbishop of Canterbury, primate of all England, and metropolitan; some time chancellor of the universities of Oxford and Dublin, one of the commissioners of his majesty's exchequer, and privy-counsellor to the king, in the seventy-second year of his age, and twelfth of his archiepiscopal translation. He was of low stature, and a ruddy countenance; his natural temper was severe and uncourtly, his spirit active and restless, which

* Mrs. Macaulay's reflections on this event appear to carry weight and pertinence with them. "As the justice of the country had been something satisfied by the death of the criminal Strafford, it would have done honour to the parliament to have left this aged prelate the example of their mercy, rather than to have made him the monument of their justice. Perpetual imprisonment, with no more than a decent maintenance, and the deprivation of his archiepiscopal function (which of course followed the abolishment of that kind of church-government), would have taken away his abilities of doing farther mischief; and the present prosperous state of the parliament-affairs rendered his death a circumstance of no importance to the public. It is plain that he fell a sacrifice to the intolerant principle of the Presbyterians, a sect who breathed as fiery a spirit of persecution as himself. It is farther to be observed of this prelate, that he is the only individual of that high office in the church of England (Cranmer, the martyr, excepted) who ever suffered death, by the hands of the executioner; though the turbulent ambition of his order has disturbed the peace of society from the first period of the church-power to the present day." History of England, vol. 4. p. 143, 144.—Ed.

pushed him on to the most hazardous enterprises. His conduct was rash and precipitate, for, according to Dr. Heylin, he attempted more alterations in the church in one year, than a prudent man would have done in a great many. His counsels in state-affairs were high and arbitrary, for he was at the head of all the illegal projects, of ship-money, loans, monopolies, star-chamber fines, &c. which were the ruin of the king and constitution.

His maxims in the church were no less severe, for he sharpened the spiritual sword, and drew it against all sorts of offenders, intending, as lord Clarendon expresses it, that that the discipline of the church should be felt as well as spoken of. There had not been such a crowd of business in the high-commission court since the Reformation, nor so many large fines imposed, as under the prelate's administration, with little or no abatement, because they were assigned to the repair of St. Paul's, which gave occasion to an unlucky proverb, that the church was repaired with the sins of the people.

As to the archbishop's religion, he declared himself, upon the scaffold, a Protestant, according to the constitution of the church of England, but with more charity to the church of Rome than to the foreign Protestants; and though he was an avowed enemy to sectaries and fanatics of all sorts, yet he had a great deal of superstition in his make, as appears from those passages in his Diary, in which he takes notice of his dreams, of the falling down of pictures, of the bleeding of his nose, of auspicious and inauspicious days of the year, and of the position of the stars; a variety of which may be collected out of that performance.

His grace must be allowed to have had a considerable share of knowledge, and to have been a learned man, though he was more a man of business than of letters.* He was a great benefactor to the college in which he was educated, enriching it with a variety of valuable manuscripts,† besides

* "Just the contrary (says bishop Warburton): he did not understand business at all, as fully appears from the historian's account of his civil administration, and was a great master of religious controversy." Mr. Hume, speaking of Laud's learning and morals, expresses himself in the following manner: "This man was virtuous, if severity of manners alone, and abstinence from pleasure, could deserve that name. He was learned, if polemical knowledge could entitle him to that praise."—History of Great Britain, vol. 5. p. 193.—Ed.

† These manuscripts, which he had purchased at a prodigious expense, were in Hebrew, Syriac, Chaldee, Egyptian, Ethiopian, Armenian, Arabic, Persian, Turkish,

500*l.* in money.* He gave 800*l.* to the repair of the cathedral of St. Paul, and sundry other legacies of the like nature. But with all his accomplishments he was a cruel persecutor, as long as he was in power, and the chief incendiary in the war between the king and parliament, the calamities of which are in a great measure chargeable upon him. "That which gave me the strongest prejudices against him (says bishop Burnet) is, that, in his Diary, after he had seen the ill effects of his violent counsels, and had been so long shut up, and so long at leisure to reflect on what had passed in the hurry of passion, in the exaltation of his prosperity, he does not in any one part of that great work acknowledge his own errors, nor mix any wise or serious reflections on the ill-usage he met with, or the unhappy steps he had made." The bishop adds withal,† "that he was a learned, sincere, and zealous man, regular in his own life, and humble in his private deportment, but hot and indiscreet, eagerly pursuing such matters as were either very inconsiderable or mischievous; such as settling the communion-table by the east wall of the church, bowing to it, and calling it an altar, suppressing the Walloon privileges, breaking of lectures, and encouraging of sports on the Lord's day, &c. His severity in the star-chamber, and in the high-commission court; but above all, his violent and indeed inexcusable injustice, in the prosecution of bishop Williams, were such visible blemishes, that nothing but the putting him to death in so unjust a manner could have raised his character. His Diary represents him as an abject fawner upon the duke of Buckingham, and as a superstitious regarder of dreams;‡ his defence of himself, written with so much care when he was in

Russian, Chinese, Japanese, Greek, Latin, Italian, French, Saxon, English, and Irish. The archbishop also founded an Arabic lecture in the university of Oxford, which began to be read in 1636. He obtained the advowson of the living of St. Lawrence in Reading for St. John's college. He procured a charter for Reading, and founded, and endowed with 200*l.* per annum, an hospital in that town. Oxford owed also to his influence a large charter, confirming its ancient and investing it with new privileges. It is but justice due to his memory to record, to the honour of Laud, these acts of munificence and public utility. British Biography, vol. 4. p. 289, 290.—Ed.

* Diary, p. 56.

† History of his Life, vol. 1. p. 49, 50; or Scotch edit. p. 68.

‡ "His superstitions (says Mrs. Macaulay) were as contemptible as those that belonged to the weakest of women." His Diary fell into the hands of Prynne, in the search of the archbishop's papers, and was published by him during his trial. This his grace complained of, as done to abash and disgrace him. The publication of it, certainly, did not tend to soften the prejudices against him, or to raise him in the opinion of the public. It was done by an order of a committee of the house of commons.—Ed.

the Tower, is a very mean performance; and his friends have really lessened him.—Heylin by writing his life, and Wharton by publishing his vindication of himself." Mr. Rapin adds, "Let the archbishop's favourers say what they please, he was one of the chief authors of the troubles that afflicted England; 1. By supporting with all his might the principles of that arbitrary power which the court strove for several years to establish. 2. By using too much strictness and rigidness in the observance of trifles in divine service, and in compelling every body to conform themselves thereto."* To which I would beg leave to add, that since nothing relating to the doctrine or discipline of the church of England established by law was objected to him at his trial, but only certain innovations in the church, without or contrary to law, I cannot conceive with what propriety of language his friends and admirers have canonized him as the blessed martyr of the church of England.†

The last and most memorable transaction of this year, was the treaty of Uxbridge. His majesty had sent the two houses sundry propositions for peace last summer, which took them up a great deal of time to form into propositions for his majesty's assent. The commissioners were, two lords, four commoners, and those of the Scots commissioners; they arrived at Oxford November 26, but though the king had given them a safe conduct, Mr. Whitelocke observes, they met with very rude treatment from the populace, who saluted them as they passed along the streets with the names

* Rapin, vol. 1. p. 507, folio.

† Dr. Grey calls Mr. Neal's delineation of archbishop Laud's character, "a long invective," and opposes to it lord Clarendon's character of this prelate. Facts will shew, who has drawn it with truth: and by facts we may decide concerning a more recent delineation of it by the pen of Mrs. Macaulay. "Laud, a superstitious churchman, who had studied little else than canon law and the doting opinions of the fathers, was entirely ignorant of the utility, equity, and beauty, of civil and religious liberty; was himself imposed on before he endeavoured to impose on others; and became a zealous instrument of tyranny, even for conscience' sake. The principles of religion, on which he uniformly acted, were as noxious to the peace of society, as were the principles of the Papists; the same want of charity, the same exercise of cruelty, the same arrogance of dominion, were common to both. Utterly unacquainted with the simplicity, charity, and meekness, of the gospel, his character was void of humility and forgiveness; nor had he other rules to judge of men's deservings, but as they were more or less attached to the power of the church. Upon the whole, his character serves as an eminent example, to shew that extensive learning and abilities are not incompatible with a narrow judgment; and that in all the catalogue of human frailties, there are none which more corrupt the heart, or deprave the understanding, than the follies of religion." History of England, vol. 4. p. 134. 142, 143. Were it necessary for the editor of Mr. Neal to subjoin his ideas of Laud's character, he would be inclined to give it in three words; as formed of superstition, tyranny, and intolerance.—Ed.

of traitors, rogues, and rebels, throwing stones and dirt into their coaches; when they came to their inn, they were insulted by the soldiers, so that they were obliged to shut up the doors till the king ordered them a guard. When they delivered their propositions, his majesty received them coldly;* and because they were only to receive his answer, told them, a letter-carrier might have done as well.† Next day his majesty gave them his answer in writing sealed up; and when they desired to see it, he replied with a frown, "What is it to you, who are but to carry what I send; if I will send the song of Robin Hood, or Little John, you must carry it." But at length they obtained a copy, which was only to desire a safe conduct for the duke of Lenox and earl of Southampton to come to London with his majesty's answer; but the letter not being directed to the parliament of England, the houses would not consent but upon that condition. The king's council advised him to yield, which did not prevail, till his majesty had found out an evasion, and entered it upon record in the council-books, as appears by his letter to the queen, dated January 2, in which he says, "that his calling them a parliament did not imply his acknowledging them as such; upon which construction, and no other (says he),‡ I called them as it is registered in the council-books, and if there had been but two of my opinion (says the king) I would not have done it."§ In another in-

* This, as Dr. Grey observes, is not expressly said by Whitelocke; whose words are, "The next day they (i. e the commissioners) had access to his majesty, who used them civilly, and gave to every one of them his hand to kiss; but he seemed to shew more disdain to the Scots commissioners than to any others of their company." On the evening of the same day, as Hollis and Whitelocke were paying a visit to the earl of Lindsey, the king came into the chamber, and treated those gentlemen with extraordinary respect, entered into a free conversation with them, and asked their advice as friends. Memorials, p. 108. Rushworth says, that "the king received the commissioners very obligingly, but seemed more to slight the Scots commissioners than any of the rest," vol. 5. p. 341. Even here, though the language of Rushworth is more descriptive of a courteous and complaisant reception, than is that of Whitelocke, there is yet an intimation of something in the king's manner to all the commissioners, that indicated coldness and indifference, and it justifies Mr. Neal's representation of it.—Ed.

† Whitelocke, p. 106, 107. 109, 110. ‡ Ibid. p. 277.

§ Dr. Grey aims, here, to impeach not the accuracy only, but the veracity, of Mr. Neal; whose account of the matter does, indeed, seem to imply, that the king was at length prevailed on to direct his answer to the parliament at Westminster: whereas Dr. Grey shews, from Rapin and Rushworth, that his majesty put no direction at all on it, and the commissioners accepted it without a direction; and that therefore the charge of evasion against the king was without ground. But Dr. Grey contents himself with a partial account and view of this matter, and does not apprise his reader, that Rapin also mentions the expedient by which the king reconciled to himself a compliance with the requisition of the parliament: the fact, in its full extent, was, that the commissioners, though they objected to the form and the want of direction to

tercepted letter to the queen, he tells her, "he could not prevail with his parliament at Oxford to vote those at Westminster no parliament, but assures her he would not make peace without her approbation, nor go one jot beyond the paper she sent him."* In another the king informs the queen, "that the parliament were sending him propositions for peace, which, if she likes, he thinks may be the best way for settlement as things stand;" so that the fate of England was to be determined by the queen and her Popish council. Besides, his majesty was unhappily elevated at this time by the divisions at Westminster, which produced the new modelling the army; and with a false and romantic account of the successes of the marquis of Montrose in Scotland, which were so magnified, that it was expected the Scots must immediately march back into their own country; whereas, in reality, they were not so considerable as to oblige them to draw off a single regiment.

In this situation of affairs it was agreed, according to the proposals of the king's commissioners, that there should be a treaty of peace at Uxbridge, to commence January 30, 1645, and to continue twenty days.

There were sixteen commissioners for the king, viz. nine lords, six commoners, and one divine; twelve for the parliament, and ten for the Scots, and one divine, viz. Mr. Henderson; the king's divine was Dr. Steward, who was assisted by Dr. Sheldon, Laney, Fern, Potter, and Hammond. Assistant divines for the parliament were, Mr. Vines, Marshal, Cheynel, and Chiesly. These with their retinue, to the number of one hundred and eight persons, were included in the safe conduct.

The propositions to be treated of were, religion, the militia, and Ireland; each of which was to be debated three days successively, till the twenty days were expired.

The treaty was preceded by a day of fasting and prayer on both sides for a blessing, but was interrupted, the very first day, by a sermon preached occasionally in the church

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the king's message; yet did deliver it to the parliament at Westminster, and was thanked for their services. But then the like exceptions were made by both houses, and it was resolved not to grant the safe conduct it asked, nor to receive his majesty's answer, unless he should send to the parliament of England assembled at Westminster. The trumpeter went away with the letter to this effect December 3, and returned on the 7th with an answer from the king, acknowledging those at Westminster to be the parliament. Rushworth, vol. 5. p. 843, 844.

* Rushworth, vol. 5. p. 943.

of Uxbridge by Mr. Love, then preacher to the garrison of Windsor, wherein he had said, that they [his majesty's commissioners] came thither with hearts full of blood, and that there was as great a distance between this treaty and peace, as between heaven and hell. The commissioners having complained of him next day, the parliament-commissioners laid it before the two houses, who sent for him to London, where he gave this account of the affair,—that the people being under a disappointment at their lecture, he was desired unexpectedly to give them a sermon; which was the same he had preached at Windsor the day before.* He admits, that he cautioned the people not to have too great a dependance upon the treaty, because, "whilst our enemies (says he) go on in their wicked practices, and we keep to our principles, we may as soon make fire and water to agree; and I had almost said, reconcile heaven and hell, as their spirits and ours. They must grow better, or we must grow worse, before it is possible for us to agree." He added farther, "that there was a generation of men that carried blood and revenge in their hearts against the well-affected in the nation, who hated not only their bodies but their souls, and in their cups would drink a health to their damnation." Though there might be some truth in what the preacher said, yet these expressions were unbecoming any private man in so nice a conjuncture; he was therefore confined to his house during the treaty, and then discharged.†

It was too evident, that neither party came to the treaty with a healing spirit. The king's commissioners were under such restraints, that little good was to be expected from

* Dugdale's Treaty of Uxbridge, p. 764.

† Dr. Grey opposes to the account, which Mr. Neal gives of the proceedings against Mr. Love, lord Clarendon's representation, which states only—that the commissioners seemed troubled at the charge against him, promised to examine it, and engaged that he should be severely punished; but afterward confessed that they had no authority to punish him, but that they had caused him to be sharply reprehended and sent out of town: "this (his lordship adds) was all that could be obtained, so unwilling were they to discountenance any man who was willing to serve them." History of the Rebellion, vol. 2. p. 579. Dr. Grey remarks here, "This is lord Clarendon's account, who was himself a commissioner of that treaty." The remark is evidently made to intimate that Mr. Neal's account is not true. It is to be regretted, that he has not, in this instance, referred to his authority. But it is certain, that lord Clarendon does not relate the whole of the commissioners' answer or conduct. The former, according to Rushworth, vol. 5. p. 865, and Dugdale, p. 765, was a promise "to represent the complaint against Mr. Love to the parliament, who would proceed therein according to justice;" and the latter, it appears by Whitelocke, was correspondent to this engagement: "for the parliament, having notice of Mr. Love's sermon from the commissioners, sent for him and referred the business to an examination." Memorials, p. 123.—Ed.

them; and the parliament-commissioners would place no manner of confidence in his majesty's promises, nor abate a tittle of the fullest security for themselves and the constitution.* The king therefore, in his letter to the queen of January 22, assures her of the utter improbability that this present treaty should produce a peace, "considering the great and strange difference, if not contrariety, of grounds, that was between the rebels' propositions and his; and that I cannot alter mine, nor will they ever theirs, but by force."†

We shall only just mention the propositions relating to the militia and Ireland, our principal view being to religion. The king's commissioners proposed to put the militia into the hands of trustees for three years, half to be named by the king, and half by the parliament, and then to revert absolutely to the crown, on pain of high treason. But the parliament-commissioners replied, that by the king's naming half the commissioners, the militia would be rendered inactive, and that after three years they should be in a worse condition than before the war; they therefore proposed, that "the parliament should name the commissioners for seven years, and then to be settled as the king and parliament should agree, or else to limit their nomination to three years after the king and parliament should declare the kingdom to be in a settled peace."‡ It had been easy to form this proposition, so as both parties might have complied with honour and safety, if they had been in earnest for an accommodation; but his majesty's commissioners could yield no farther.

As to Ireland, the king's commissioners justified his majesty's proceedings in the cessation, and in sending for the rebels over to fill up his armies; and when the commissioners on the other side put them in mind of his majesty's

* Rapin, vol. 2. p. 510, folio.

† The quotation from Rapin, as Dr. Grey intimates, is not exact, or full. The passage stands thus; "I cannot alter mine, nor will they ever theirs, till they be out of hope to prevail with force, which a little assistance, by thy means, will soon make them be; for I am confident, if ever I could put them to a defensive (which a reasonable sum of money would do), they would be easily brought to reason." Rushworth, vol. 7. p. 944. As the passage now appears at its full length, though the reader should judge Mr. Neal's manner of quoting it inaccurate, he will perceive that he has truly given the idea and meaning of the king: who thought of nothing but of putting the parliament out of hope of prevailing by force, by carrying against them a superior force.—Ed.

‡ Rapin, p. 513.

solemn promises to leave that affair to the parliament, and to have those rebels punished according to law; the others replied, they wished it was in his majesty's power to punish all rebellion according as it deserved; but since it was otherwise, he must condescend to treaties, and to all other expedients necessary to reduce his rebellious subjects to their duty and obedience."* Admirable arguments to heal divisions, and induce the parliament to put the sword into the king's hands!†

The article of religion was, in the opinion of lord Clarendon, of less consequence with many in the parliament-house, for if they could have obtained a security for their lives and fortunes, he apprehends this might have been accommodated, though, considering the influence of the Scots, and the growing strength of the Presbyterian and Independent parties, it is very much to be doubted. However, this being the first point debated in the treaty, and a church-controversy, it will be proper to represent the instructions on both sides. While this was upon the carpet, Dr. Steward, clerk of the closet, and a commissioner for the king, sat covered without the bar, behind the commissioners; as did Mr. Henderson behind those of the parliament. The assistant divines were present in places appointed for them, opposite to each other.

His majesty's instructions to his commissioners on the head of religion were these: "Here (says the king) the government of the church will be the chief question, wherein two things are to be considered, conscience and policy; for the first, I must declare, that I cannot yield to the change of the government by bishops, not only because I fully concur with the most general opinion of Christians in all ages, in

* Clarendon, vol. 2. p. 592.

† Bishop Warburton treats *this with* contempt, calling it "a foolish declamation. The subject here was Ireland, *not the militia.*" So Mr. *Neal* represents *it*; but the force of his remark turns on the *propriety of putting* the sword into the king's hands; and whether the sword was worn by the English militia or the Irish rebels, in either case it was an object of fear and jealousy to the parliament. The reader will not be displeased to see how the bishop becomes advocate for the king *on the* charge here alleged of breaking his promise to leave the Irish war to the parliament. His answer, i. e. *the king's, says* his grace, is to this effect, and I think it very pertinent. "It is true, I made this promise, but it was when the parliament was my friend, not my enemy. They might be then intrusted with my quarrel; but it would be madness to think they now can. To prevent, therefore, their making a treaty with the Irish, and in their distresses bringing over their troops against me, I have treated with them, and have brought over the troops against them." This was speaking like a wise and able prince.—*Ed.*

episcopacy's being the best government, but likewise I hold myself particularly bound by the oath I took at my coronation, not to alter the government of this church from what I found it; and as for the church-patrimony, I cannot suffer any diminution or alienation of it, it being, without peradventure, sacrilege, and likewise contrary to my coronation-oath; but whatsoever shall be offered for rectifying abuses, if any have crept in, or for the ease of tender consciences (provided the foundation be not damaged), I am content to hear, and willing to return a gracious answer. Touching the second, that is the point of policy, as it is the king's duty to protect the church, so the church is reciprocally bound to assist the king in the maintenance of his just authority. Upon these views my predecessors have been always careful (especially since the Reformation) to keep the dependance of the clergy entirely upon the crown, without which it will scarce set fast on the king's head; therefore you must do nothing to change or lessen this natural dependance."*

The commissioners from the two houses of parliament at Westminster, instead of being instructed to treat about a reformation of the hierarchy, were ordered to demand the passing of a bill for abolishing and taking away episcopal government; for confirming the ordinance for the calling and sitting of the assembly of divines; that the Directory for public worship, and the propositions concerning church-government, hereunto annexed, be confirmed as a part of reformation of religion and uniformity; that his majesty take the solemn league and covenant, and that an act of parliament be passed, enjoining the taking it by all the subjects of the three kingdoms.†

The propositions annexed to these demands were these, viz. "that the ordinary way of dividing Christians into distinct congregations, as most expedient for edification, be by the respective bounds of their dwellings.

"That the ministers, and other church-officers in each particular congregation, shall join in the government of the church in such manner as shall be established by parliament.

"That many congregations shall be under one presbyterial government.

* Rushworth, vol. 5. p. 945. † Dugdale, p. 766.

"That the church be governed by congregational, classical, and synodical assemblies, in such manner as shall be established by parliament.

"That synodical assemblies shall consist both of provincial and national assemblies."

One may easily observe the distance between the instructions of the two parties; one being determined to maintain episcopacy, and the other no less resolute for establishing presbytery. After several papers had passed between the commissioners, about the bill for taking away episcopacy, it was debated by the divines for two days together.

Mr. Henderson, in a laboured speech, endeavoured to shew the necessity of changing the government of the church, for the preservation of the state,—"That now the question was not, whether the government of the church by bishops was lawful, but whether it was so necessary that Christianity could not subsist without it.—That this latter position could not be maintained in the affirmative, without condemning all other reformed churches in Europe.—That the parliament of England had found episcopacy a very inconvenient and corrupt government—that the hierarchy had been a public grievance from the Reformation downwards—that the bishops had always abetted Popery, had retained many superstitious rites and customs in their worship and government: and over and above had lately brought in a great many novelties into the church, and made a nearer approach to the Roman communion, to the great scandal of the Protestant churches of Germany, France, Scotland, and Holland.—That the prelates had embroiled the British island, and made the two nations of England and Scotland fall foul upon each other.—That the rebellion in Ireland, and the civil war in England, may be charged upon them—that for these reasons the parliament had resolved to change this inconvenient mischievous government, and set up another in the room of it, more naturally formed for the advancement of piety—that this alteration was the best expedient to unite all Protestant churches, and extinguish the remains of Popery—he hoped therefore the king would concur in so commendable and godly an undertaking; and conceived his majesty's conscience could not be urged against such a compliance, because he had already done it in Scotland; nor could he believe that episcopacy

was absolutely necessary to the support of the Christian religion."*

Dr. Steward, clerk of the king's closet, addressing himself to the commissioners, replied, "he knew their lordships were too well acquainted with the constitution of the church of England, and the basis upon which it stood, to imagine it could be shaken by the force of Mr. Henderson's rhetoric —that he was firmly of opinion, that a government, which from the planting of Christianity in England had continued without interruption; that a government under which Christianity had spread and flourished to a remarkable degree, could have nothing vicious or antichristian in its frame; that he expected that those who had sworn themselves to an abolition of this primitive constitution, and came hither to persuade their lordships and his majesty to a concurrence, would have endeavoured to prove the unlawfulness of that government they pressed so strongly to remove;—but though in their sermons and prints they gave episcopacy an antichristian addition, Mr. Henderson had prudently declined charging so deep, and only argued from the inconveniences of that government, and the advantages which would be consequent on an alteration. Forasmuch as a union with the Protestant churches abroad was the chief reason for this change, the doctor desired to know what foreign church they designed for a pattern—that he was sure the model in the Directory had no great resemblance to any foreign reformed church—and though he would not enter upon a censure of those communions, yet it was well known that the most learned men of those churches had lamented a defect in their reformation; and that the want of episcopany was an unhappy circumstance—that they had always paid a particular reverence to the church of England, and looked on it as the most perfect constitution, upon the score of its having retained all that was venerable in antiquity—from hence he proceeded to enlarge upon the apostolical institution of episcopacy, and endeavoured to prove, that without bishops the sacerdotal character could not be conveyed, nor the sacraments administered to any significancy.

"As to his majesty's consenting to put down episcopacy in Scotland, he would say nothing, though he knew

* Clarendon, vol. 2. p. 584.

his majesty's present thoughts upon that subject. But he observed that the king was farther obliged in this kingdom than in the other; that in England he was tied by his coronation-oath to maintain the rights of the church, and that this single engagement was a restraint upon his majesty's conscience, not to consent to the abolition of episcopacy, or the alienation of church-lands."

Mr. Henderson and Mr. Marshal declared it to be false in fact, and a downright imposition upon the commissioners, that the foreign Protestants lamented the want of episcopacy, and esteemed our constitution more perfect than their own.* They then ran out into a high commendation of presbyterial government, as that which had the only claim to a divine right.† Upon which the marquis of Hertford‡ spoke to this effect:

"My lords,

"Here is much said concerning church-government in the general; the reverend doctors on the king's part affirm, that episcopacy is *jure divino;* the reverend ministers on the other part affirm, that presbytery is *jure divino;* for my part, I think neither the one nor the other,§ nor any government whatsoever, to be *jure divino;* and I desire we may leave this argument, and proceed to debate on the particular proposals."‖

Dr. Steward desired they might dispute syllogistically, as became scholars, to which Mr. Henderson readily agreed; in that way they proceeded about two days; the points urged by the king's doctors were strongly opposed by Mr. Henderson, Mr. Marshal, and Mr. Vines, and very learnedly replied to by his majesty's divines, who severally declared

* These assertions of Mr. Henderson and Mr. Marshal, are not to be found, as Dr. Grey remarks, in the place to which Mr. Neal refers. Rushworth says there only in general, "that Mr. Henderson and Mr. Marshal answered the doctor, commending the Presbyterian way of government, and that episcopacy was not so suitable to the word of God as presbytery, which they argued to be *jure divino.*" See also Whitelocke's Memorials, p. 123. Dr. Grey fills several pages with quotations from Calvin, Beza, and other foreign divines, in favour of episcopacy.—Ed.

† Rushworth, p. 848.

‡ Rushworth and Whitelocke add, that the earl of Pembroke and many of the commissioners, besides these two lords, were of the same judgment, and wished, passing over this point, to come to the particulars. Rushworth's Collection, vol. 5. p. 849. Whitelocke's Memorials, p. 123.—Ed.

§ "The marquis of Hertford (says bishop Warburton) seems to have read Hooker to more advantage than the king his master; who fancied that great men contended for the *jus divinum* of episcopacy in his E. P. in which he has been followed by many divines since."—Ed.

‖ Whitelocke, p. 123.

their judgments upon the apostolical institution of episcopacy; but neither party were convinced or satisfied.

When the debate concerning religion came on a second time, his majesty's commissioners delivered in their answer to the parliament's demands in writing, with their reasons why they could not consent to the bill for abolishing episcopacy, and establishing the Directory in the room of the Common Prayer, nor advise his majesty to take the covenant: but for the uniting and reconciling all differences in matters of religion, and procuring a blessed peace, they were willing to consent,

(1.) "That freedom be left to all persons, of what opinion soever, in matters of ceremony; and that all the penalties of the laws and customs which enjoin those ceremonies be suspended.*

(2.) "That the bishop shall exercise no act of jurisdiction or ordination, without the consent of the presbyters, who shall be chosen by the clergy of each diocess, out of the most learned and grave ministers of the diocess.†

(3.) "That the bishop keep his constant residence in his diocess, except when he shall be required by his majesty to attend him on any occasion, and that (if he be not hindered by the infirmities of old age or sickness) he preach every Sunday in some church within his diocess.

(4.) "That the ordination of ministers shall be always in a public and solemn manner, and very strict rules observed concerning the sufficiency and other qualifications of those men who shall be received into holy orders, and the bishops shall not receive any into holy orders without the approbation and consent of the presbyters, or the major part of them.

(5.) "That a competent maintenance and provision be established by act of parliament, to such vicarages as belong to bishops, deans, and chapters, out of the impropriations, and according to the value of those impropriations of the several parishes.

(6.) "That for time to come no man shall be capable of two parsonages or vicarages, with cure of souls.

(7.) "That towards settling the public peace, 100,000*l.* shall be raised by act of parliament out of the estates of bishops, deans, and chapters, in such manner as shall be

* Rushworth, p. 872. † Dugdale, p. 780.

thought fit by the king and two houses of parliament, without the alienation of any of the said lands.

(8.) "That the jurisdiction in causes testamentary, decimal, matrimonial, be settled in such manner as shall seem most convenient by the king and two houses of parliament.

(9.) "That one or more acts of parliament be passed for regulating of visitations, and against immoderate fees in ecclesiastical courts, and abuses by frivolous excommunication, and all other abuses in the exercise of ecclesiastical jurisdiction, in such manner as shall be agreed upon by the king and both houses of parliament.

"And if your lordships shall insist upon any other thing, which your lordships shall think necessary for reformation, we shall very willingly apply ourselves to the consideration thereof." But they absolutely refused their consent to the main points, viz. the abolishing episcopacy, establishing the Directory, confirming the assembly of divines, and taking the covenant.

Mr. Rapin observes, upon the first of these concessions, that since the penal laws were not to be abolished, but only suspended, it would be in the king's power to take off the suspension whensoever he pleased. Upon the third, fourth, and fifth, that they were so reasonable and necessary, that it was not for the king's honour to let them be considered as a condescension to promote the peace; and the remainder, depending upon the joint consent of king and parliament, after a peace, it would always be in the king's breast to give or withhold his assent, as he thought fit.*

The commissioners for the parliament replied to these concessions, that they were so many new propositions, wholly different from what they had proposed, that they contained little or nothing but what they were already in possession of by the laws of the land; that they were no way satisfactory to their desires, nor consisting with that reformation to which both nations are obliged by the solemn league and covenant; therefore they can give no other answer to them, but insist to desire their lordships, that the bill may be passed, and their other demands concerning religion granted.† The parliament-commissioners, in their last papers, say, that all objections in favour of the present hierarchy, arising from conscience, law, or reason, being

* History, vol. 2. p. 512, 513. † Dugdale, p. 783.

fully answered, they must now press for a determinate answer to their proposition concerning religion.

The king's commisioners deny, that their objections against passing the bill for abolishing episcopacy have been answered, or that they had received any satisfaction in those particulars, and therefore cannot consent to it.

The parliament-commissioners add, that after so many days' debate, and their making it appear, how great a hinderance episcopal government is and has been to a perfect reformation, and to the growth of religion; and how prejudicial it has been to the state, they hoped their lordships would have been ready to answer their expectations.*

The king's commissioners replied, "It is evident, and we conceive consented to on all sides, that episcopacy has continued from the apostles' time, by a continued succession, in the church of Christ, without intermission or interruption, and is therefore *jure divino*."

The parliament-commissioners answer, "So far were we from consenting that episcopacy has continued from the apostles' time, by a continued succession, that the contrary was made evident to your lordships, and the unlawfulness of it fully proved."†

The king's commissioners replied, that they conceived the succession of episcopacy from the apostles was consented to on all sides, and did not remember that the unlawfulness of it had been asserted and proved.‡ However, they apprehend all the inconveniences of that government are remedied by the alterations which they had offered. Nor had the parliament-commissioners given them a view in particular of the government they would substitute in place of the present; if therefore the alterations proposed do not satisfy, they desire the matter may be suspended till after the disbanding the armies, and both king and parliament can agree in calling a national synod.

The above-mentioned concessions would surely have been a sufficient foundation for peace, if they had been made twelve months sooner, before the Scots had been called in with their solemn league and covenant, and sufficient security had been given for their performance; but the commissioners' hands were now tied; the parliament apprehending themselves obliged by the covenant to abolish the hierarchy;

* Dugdale, p. 787. † Ibid. p. 788. ‡ Ibid. p. 790. 878.

and yet if the commissioners could have agreed about the militia, and the punishment of evil counsellors, the affair of religion would not, in the opinion of lord Clarendon, have hindered the success of the treaty; his words are these: "The parliament took none of the points of controversy less to heart, or were less united in any thing, than in what concerned the church;* the Scots would have given up every thing into the hands of the king for their beloved presbytery; but many of the parliament were for peace, provided they might have indemnity for what was past, and security for time to come."† And were not these reasonable requests? Why then did not the commissioners prevail with the king to give them security, and divide the parliament, or put an end to the war?

The last day of the treaty the parliament continued sitting till nine of the clock at night, in hopes of hearing something from their commissioners, that might encourage them to prolong the treaty; but when an express brought word, that the king's commissioners would not yield to one of their propositions, they broke up without doing any thing in the business. Each party laid the blame upon the other; the king's commissioners complained, that the parliament would not consent to prolong the treaty;‡ and the others, that after twenty days' conference not one proposition had been yielded. All sober men, and even some of the king's commissioners, were troubled at the event; but considering the state of the king's affairs, and his servile attachment to the counsels of a Popish queen, it was easy to foresee it could not be otherwise.

Bishop Burnet, in the History of his Life and Times,§ says, that lord Hollis, who was one of the commissioners, told him, "that the king's affairs were now at a crisis, for the treaty of Uxbridge gave him an opportunity of making peace with the parliament, but all was undone by the unhappy success of the marquis of Montrose at this time in Scotland, which being magnified to the king far beyond what it really was, prevailed with his majesty to put such limitations on his commissioners, as made the whole design miscarry."

Most of the king's commissioners, who were not excepted

* Clarendon, vol. 2. p. 581.
† Ibid. p. 594.
‡ See a proof of this in Dr. Grey.—Ed.
§ Vol. 1. p. 51. Edinburgh edition.

out of the article of indemnity, were for accommodating matters before they left Uxbridge. The earl of Southampton rode post from Uxbridge to Oxford, to entreat the king to yield something to the necessity of the times; several of his council pressed him to it on their knees; and it is said his majesty was at length prevailed with, and appointed next morning to sign a warrant to that purpose, but that Montrose's romantic letter, of his conquest in Scotland, coming in the meantime, made the unhappy king alter his resolution.*

But there was something more in the affair than this; lord Clarendon† is of opinion, that if the king had yielded some things to the demands of the parliament relating to religion, the militia, and Ireland, there were still other articles in reserve that would have broken off the treaty; in which I cannot but agree with his lordship; for not to mention the giving up delinquents to the justice of parliament, of which himself was one, there had been as yet no debate about the Roman Catholics, whom the parliament would not tolerate, and the king was determined not to give up, as appears from the correspondence between himself and the queen at this time. In the queen's letter, January 6, 1644—5, she desires his majesty "to have a care of his honour, and not to abandon those who had served him—for if you agree upon strictness against Roman Catholics, it will discourage them from serving you; nor can you expect relief from any

* Dr. Grey attempts to convict Mr. Neal of falsehood in each part of this paragraph. For the first part, the doctor says, "that, as far as he could learn, there was not so much as the shadow of an authority."—In reply, it may be observed, that though Mr. Neal has not, as it is to be wished he had, referred to his authority, yet the doctor's assertion is not well supported. For Whitelocke informs us, that "on the 19th of February the earl of Southampton and others of the king's commissioners went from Uxbridge to Oxford, to the king, about the business of the treaty, to receive some farther directions from his majesty therein." Memorials, p. 127. As the treaty closed on the 22d, the reader will judge, whether Mr. Neal, speaking of the object and expedition of this journey, had not so much as the shadow of an authority. With respect to the latter part of the paragraph concerning Montrose, Dr. Grey will have it, that bishop Burnet's authority makes directly against Mr. Neal; and then he quotes from him as follows: "Montrose wrote to the king, that he had gone over the land from Dan to Beersheba, and that he prayed the king to come down in these words, Come thou and take the city, lest I take it, and it be called by my name." This letter was written, but never sent, for he was routed, and his papers taken before he had dispatched the courier. Of course the doctor means to conclude, that the king could not be influenced to obstruct the operation of the treaty, by a letter which was never received. But it escaped Dr. Grey's attention, that the letter which he quotes was written more than a year after the treaty was broken off: and Mr. Neal speaks, on the authority of bishop Burnet, of another letter, or expresses received, while the treaty was pending. So that there is no contradiction in the case.—Ed.

† Vol. 2. p. 594.

Roman-Catholic prince."*—In her letter of January 27, she adds, "Above all have a care not to abandon those who have served you, as well the bishops as the poor Catholics." In answer to which the king writes, January 30, "I desire thee to be confident, that I shall never make peace by abandoning my friends." And, February 15, "Be confident, that in making peace I shall ever shew my confidence in adhering to the bishops, and all our friends."—March 5, I give thee power in my name, to declare to whom thou thinkest fit, that I will take away all the penal laws against the Roman Catholics in England, as soon as God shall make me able to do it, so as by their means I may have so powerful assistance as may deserve so great a favour, and enable me to do it."†—As for Ireland, his majesty had already commanded the duke of Ormond, by his letter of February 27, to make peace with the Papists, cost what it would. "If the suspending Poynings's act will do it (says he), and taking away the penal laws, I shall not think it a hard bargain—When the Irish give me that assistance they have promised, I will consent to the repeal by law."‡

It appears from hence, that the peace which the king seemed so much to desire was an empty sound. The queen was afraid he might be prevailed with to yield too far; but his majesty bids her be confident of the contrary, for "his commissioners would not be disputed from their ground, which was according to the note she remembers, and which he would not alter." When the treaty was ended, he writes thus to the queen, March 13; "Now is come to pass what I foresaw, the fruitless end of this treaty—Now if I do any thing unhandsome to myself or my friends, it will be my own fault—I was afraid of being pressed to make some mean overtures to renew the treaty, but now if it be renewed it shall be to my honour and advantage."§ Such was the queen's ascendant over the king, and his majesty's servile submission to her imperious dictates;‖ the

* Rapin, vol. 2. p. 511, 512, folio edition.

† Rushworth, vol. 5. p. 942. 944. 946, 947. ‡ Ibid. p. 978, 979.

§ Rapin, vol. 2. p. 512, folio edition.

‖ We will leave with our readers bishop Warburton's remarks on this reflection of Mr. Neal. "Never was the observation of the king's unhappy attachment made in a worse place. His honour required him not to give up his friends; and his religion, viz. the true principles of Christianity, to take off the penal laws from peaceable Papists; and common humanity called upon him to favour those who had served him at the hazard of their lives and fortunes."—It may be properly added, that religion, in the liberal sense in which his lordship explains the term, required the king to take off the

fate of three kingdoms was at her disposal; no place at court or in the army must be disposed of without her approbation; no peace must be made but upon her terms; the Oxford mongrel parliament, as his majesty calls it, must be dismissed with disgrace, because they voted for peace; the Irish Protestants must be abandoned to destruction; and a civil war permitted to continue its ravages throughout England and Scotland, that a Popish religion and arbitrary government might be encouraged and upheld.*

As a farther demonstration of this melancholy remark, his majesty authorized the earl of Glamorgan, by a warrant under his royal signet, dated March 12, 1644, to conclude privately a peace with the Irish Papists upon the best terms he could, though they were such as his lieutenant the duke of Ormond might not well be seen in, nor his majesty himself think fit to own publicly at present, engaging, upon the word of a king and a Christian, to ratify and perform whatsoever he should grant under his hand and seal, on condition they would send over into England a body of ten thousand men, under the command of the said earl.† The date of this warrant is remarkable, as it was at a time when his ma-

penal laws from peaceable Puritans as well as Papists. But in his majesty's dictionary the word does not appear to have borne so generous and just a meaning.—Ed.

* Clarendon, vol. 2. p. 364.

† Dr. Grey treats this account of the earl of Glamorgan's commission as a fine piece of slander, furnished by a tribe of republican writers: and to confute it he produces a letter from the king to the lord-lieutenant and council of Ireland, one from colonel King in Ireland, and another from secretary Nicholas to the marquis of Ormond. There is no occasion here to enter into a discussion of the question concerning the authority under which the earl of Glamorgan acted. For since Mr. Neal and Dr. Grey wrote, the point has been most carefully and ably investigated by Dr. Birch, in "An inquiry into the share which king Charles I. had in the transactions of the earl of Glamorgan," published in 1747. And the fact has been put out of all doubt by a letter of that nobleman to the lord-chancellor Hyde, written a few days after king Charles II.'s restoration, which has appeared in the Clarendon State Papers, vol. 2. p. 20—203, and has been republished in the second edition of the Biographia Britannica, vol. 2. p. 320, under the life of Dr. Birch. The general fact having been ascertained beyond all contradiction, the question which offers is, how far the king acted criminally in this transaction. Mrs. Macaulay represents him as violating every principle of honour and conscience. Mr. *Hume*, on the contrary, speaks of it as a very innocent transaction, in which the king was engaged by the most violent necessity. Dr. Birch considers it with temper, though he appears to think it not easily reconcilable to the idea of a good man, a good prince, or a good Protestant. Mr. Walpole has some candid and lively reflections on it. "It requires (he observes) very primitive resignation in a monarch to sacrifice his crown and his life, when persecuted by subjects of his own sect, rather than preserve both by the assistance of others of his subjects who differed from him in ceremonials or articles of belief.—His fault was not in proposing to bring over the Irish, but in having made them necessary to his affairs. Every body knew, that he wanted to do without them, all that he could have done with them." Biographia Britannica, second edition, vol. 2. p. 321, *note*.—Ed. See Rushworth, vol. 6. p. 239, &c. Rapin, p. 330. Hist. Stuarts, p. 305.

jesty's affairs were far from being desperate; when he thought the divisions in the parliament-house would quickly be their ruin, and that he had little more to do than to sit still and be restored upon his own terms, for which reason he was so unyielding at the treaty of Uxbridge; and yet the earl, by his majesty's commission, granted every thing to the Irish, even to the establishing the Roman-Catholic religion, and putting it on a level with the Protestant; he gave them all the churches and revenues they were possessed of since the Rebellion, and not only exempted them from the jurisdiction of the Protestant clergy, but allowed them jurisdiction over their several flocks, so that the reformed religion in that kingdom was in a manner sold for ten thousand Irish Papists, to be transported into England and maintained for three years. Let the reader now judge, what prospect there could be of a well-grounded peace by the treaty of Uxbridge! What security there was for the Protestant religion! How little ground of reliance on the king's promises! and consequently, to whose account the calamities of the war, and the misery and confusions which followed after this period, ought to be placed.

The day before the commencement of the treaty of Uxbridge, the members of the house of commons attended the funeral of Mr. John White, chairman of the grand committee of religion, and publisher of the Century of Scandalous Ministers; he was a grave lawyer, says lord Clarendon, and made a considerable figure in his profession. He had been one of the feoffees for buying in impropriations, for which he was censured in the star-chamber. He was representative in parliament for the borough of Southwark; having been a Puritan from his youth, and, in the opinion of Mr. Whitelocke,* an honest, learned, and faithful servant of the public, though somewhat severe at the committee for plundered ministers. He died January 29, and was buried in the Temple-church with great funeral solemnity.†

* Memorials, p. 122.

† Dr. Grey, on the authority of Walker, "charges Mr. White with corrupt practices by the way of bribery; says, that Dr. Bruno Ryves called *him* a *fornicating* Brownist, and that the author of Persec. Undec. suggests *much worse* against him; and, on the testimony of an anonymous author, represents him as dying distracted, crying out, how many clergymen, their wives and children, he had undone; raving and condemning himself at his dying hour, for his undoing so many guiltless ministers." Such representations carry little weight with them against the testimony of Clarendon and Whitelocke: especially, when it is considered that the obnoxious part,

CHAP. VI.

THE PROGRESS OF THE WAR. DEBATES IN THE ASSEMBLY ABOUT ORDINATION. THE POWER OF THE KEYS. THE DIVINE RIGHT OF PRESBYTERIAN GOVERNMENT. COMMITTEES FOR COMPREHENSION AND TOLERATION OF THE INDEPENDENTS.

THE king's commissioners had been told at the treaty of Uxbridge, that the fate of the English monarchy depended upon its success; that if the treaty was broken off abruptly, there were a set of men in the house, who would remove the earl of Essex, and constitute such an army, as might force the parliament and king to consent to every thing they demanded, or change the government into a commonwealth; whereas, if the king would yield to the necessity of the times, they might preserve the general, and not only disappoint the designs of the enemies to monarchy, but soon be in circumstances to enable his majesty to recover all he should resign. However, the commissioners looked upon this as the language of despair, and made his majesty believe the divisions at Westminster would soon replace the sceptre in his own hands.*

The house of commons had been dissatisfied with the conduct of the earls of Essex and Manchester last summer, as tending to protract the war, lest one party should establish itself upon the ruins of the other; but the warmer spirits in the house, seeing no period of their calamities this way, apprehended a decisive battle ought to be fought as soon as possible, for which purpose, after a solemn fast, it was moved that all the present officers should be discharged, and the army intrusted in such hands as they could confide in. December 9, it was resolved, that no member of either house should execute any office civil or military,

which Mr. White acted, would necessarily create many enemies; some of whom would invent, and others eagerly credit, the most reproachful calumnies against him. Dr. Calamy and Mr. Withers, whom Dr. Grey never notices, have sufficiently exposed the partiality and credulity of Dr. Walker, to render his assertions suspicious. And it should not be overlooked, as a strong presumption at least of the purity of Mr. White's character and the integrity of his proceedings, that he appealed to the public by his Century of Scandalous Ministers.—ED.

* Clarendon, vol. 2. p. 595.

during the present war; accordingly the ordinance, commonly called the self-denying ordinance, was brought in, and passed the commons ten days after, but was laid aside by the lords till after the treaty of Uxbridge, when it was revived and carried with some little opposition. The earls of Essex, Manchester, Warwick, and Denbigh, the lord Roberts, Willoughby, and others, were dismissed by this ordinance,* and all members of the house of commons, except lieutenant-general Cromwell, who after a few months was dispensed with, at the request of the new general. All the regiments were disbanded, and such only listed under the new commanders as were determined to conquer or die. Sir Thomas Fairfax was appointed general,† and Oliver Cromwell, after some time, lieutenant-general; the clause for preservation of the king's person was left out of sir Thomas's commission; nor did it run in the name of the king and parliament, but of the parliament only. The army consisted of twenty-one thousand resolute soldiers, and was called in contempt by the royalists the new-modelled army; but their courage quickly revenged the contempt.

Sir Thomas Fairfax was a gentleman of no quick parts or elocution; but religious, faithful, valiant, and of a grave, sober, resolved disposition; neither too great nor too cunning to be directed by the parliament.‡ Oliver Cromwell was more bold and aspiring; and being a soldier of undaunted courage and intrepidity, proved at length too powerful for his masters. The army was more at his disposal than at Fairfax's, and the wonders they wrought sprung chiefly from his counsels.

When the old regiments were broken, the chaplains, being discharged of course, returned to their cures; and as new ones were formed, the officers applied to the parliament and assembly for a fresh recruit; but the Presbyterian ministers being possessed of warm benefices, were unwilling

* "Thus almost all those men, by whose interest, power, and authority, the war with the king had been undertaken, and without whom no opposition, of any weight, could possibly have been raised, were in a short time deprived of their power and influence over their own army, and obliged, as we shall soon see, to truckle before them. So little can men see into futurity! so different are the turns things take, from what men are apt to expect and depend on." Dr. Harris's Life of Oliver Cromwell, p. 118.

† Sir Thomas Fairfax's power extended to the execution of martial law and the nomination of the officers under him. The army was put solely under the command of one man. "What was this (it has been properly asked), but to put it into his power to give law to the parliament, whenever he thought fit." Dr. Harris, *ut supra*.—Ed.

‡ Baxter's Life, p. 48.

to undergo the fatigues of another campaign, or, it may be, to serve with men of such desperate measures. This fatal accident proved the ruin of the cause in which the parliament were engaged; for the army being destitute of chaplains, who might have restrained the irregularities of their zeal, the officers set up for preachers in their several regiments, depending upon a kind of miraculous assistance of the divine Spirit, without any study or preparation; and when their imaginations were heated, they gave vent to the most crude and undigested absurdities; nor did the evil rest there, for from preaching at the head of their regiments, they took possession of the country-pulpits where they were quartered, till at length they spread the infection over the whole nation, and brought the regular ministry into contempt. Most of the common soldiers were religious and orderly, and when released from duty spent their time in prayer and religious conferences, like men who carried their lives in their hands; but for want of prudent and regular instruction, were swallowed up in the depths of enthusiasm. Mr. Baxter therefore observes very justly, "It was the ministers that lost all by forsaking the army, and betaking themselves to an easier and quieter way of life. When the earl of Essex's army went out, each regiment had an able chaplain, but after Edgehill fight most of them went home, and left the army to their own conduct." But, even after the decisive battle of Naseby, he admits, great numbers of the officers and soldiers were sober and orthodox; and from the little good which he did whilst among them, concludes, that if their ministers would have followed his measures, the king, the parliament, and religion, might have been saved.*

The new-modelled troops were kept under the severest discipline, commissioners being appointed to take care that the country was not oppressed; that no soldiers were quartered in any place but by appointment of the quarter-master; that ready money be paid for all provisions and ammunition; every soldier had sixpence a day for his diet, and every trooper eightpence. No inhabitants were compelled to furnish more provisions than they were able and willing to spare, under the severest penalties; whereas the royal army,

* Baxter's Life, p. 51, 56.

having no regular pay, lived upon the plunder of those places that had the misfortune to receive them.

May 30, the king took the town of Leicester by storm, with a very great treasure, which the country people had brought thither for security, his soldiers dividing the spoil, and treating the inhabitants in a most cruel and unmerciful manner; after this conquest, his majesty wrote to the queen, that his affairs were never in so hopeful a posture since the Rebellion.* The parliament-army were preparing to lay siege to the city of Oxford, but upon news of this disaster, had orders to follow the king, and hazard a battle at all events; whereupon sir Thomas Fairfax petitioned the two houses, to dispense with their self-denying ordinance with respect to lieutenant-general Cromwell, whose courage and counsels would be of great service in the present crisis; Cromwell was accordingly dispensed with during pleasure, and having joined the army with six hundred horse and dragoons, they overtook the king, and gave him battle June 14, at Naseby, about three miles from Harborough in Leicestershire.

The action began about ten in the morning, and ended about three or four in the afternoon, in an absolute defeat of the king's forces, which was owing, in a great measure, to the wise conduct and resolution of lieutenant-general Cromwell on the one hand, and to the indiscreet fury and violence of prince Rupert on the other. The armies were pretty equal in number, about twelve or fourteen thousand on a side, but the parliament-soldiers were better disciplined, and fought with all the bravery and magnanimity that an enthusiastic zeal could inspire. General Fairfax, having his helmet beat off, rode up and down the field bareheaded; major-general Skippon received a wound in the beginning of the engagement, upon which being desired to go off, he answered, he would not stir as long as a man would stand. Ireton was run through the thigh with a pike, had his horse killed under him, and was made a prisoner, but found means to escape upon the turn of the battle. The king shewed himself a courageous commander, but his soldiers were struck with such a panic, that when they were once disordered they would never rally, whereas if their enemies were beaten from their ground they presently returned, and kept

* Whitelocke's Memoirs, p. 143, 144.

their ranks till they received fresh instructions.* When prince Rupert had routed Ireton's left wing, he lost his advantage, first, by following the chase almost three miles, and then by trying to become master of the train of artillery, before he knew the success of the main body; whereas, when Cromwell had broke the right wing of the enemy, he pursued them only a quarter of a mile, and leaving a small party of horse to prevent their rallying, returned immediately to the battle, and with his victorious troops charged the royal infantry in flank. The parliament-army took above five thousand prisoners; all the king's train of artillery, bag and baggage, with his cabinet of letters, some of which were afterward published to the world; not above six or seven hundred of his men being killed, with about one hundred and fifty officers. The king, with a party of horse, fled into Wales, and prince Rupert to Bristol; but the parliament-forces pursued their victory with such eagerness, and marched with that rapidity over the whole west of England, to the very land's end, that in a few months all the royal forces were dispersed, and his majesty's garrisons surrendered almost before they were summoned.† The city of Bristol, into which prince Rupert had thrown himself, capitulated before the besiegers approached the walls, which provoked the king to that degree, that he commanded him by letter to depart the land, as did also the prince of Wales, for the security of his person; so that by the end of this campaign, the unhappy king was exposed to the mercy of his enemies, and shut up all the winter, little better than a prisoner in his garrison at Oxford.

To return to the affairs of the church. When it is recollected what great numbers of clergymen had deserted to the king, or were otherwise dissatisfied with the new terms of conformity, we must conclude it very difficult to supply the vacant pulpits in the country with a learned and regular clergy: one of the universities was entirely useless, and the young students who adhered to the parliament could not obtain ordination in a legal way, because all the bishops were in the opposition, and would ordain none but those of their own principles, which was another cause of the increase of unqualified preachers. To put some stop to the clamours of

* Whitelocke, p. 145. Clarendon, vol. 2. p. 658.
† Rapin, vol. 2. p. 517, 518, folio.

the royalists, and to the mischiefs of lay-preaching, which began to appear in the army, the parliament ordained, April 26, "that no person shall be permitted to preach who is not ordained a minister in this or some other reformed church, except such as intend the ministry, who shall be allowed for the trial of their gifts, by those that shall be appointed thereunto by both houses of parliament; and it is earnestly desired, that sir Thomas Fairfax take care, that this ordinance be put in execution in the army. It is farther ordered to be sent to the lord-mayor, and committee of the militia in London; to the governors and commanders of all forts, garrisons, forces, cities, and towns, with the like injunction; and the mayor, sheriffs, and justices of the peace, are to commit all offenders to safe custody, and give notice to the parliament, who will take a speedy course for their punishment."*

At the same time the lords sent to the assembly, to prepare a new directory for the ordination of ministers of the church in England, without the presence of a diocesan bishop. This took them up a great deal of time, by reason of the opposition it met with from the Erastians and Independents, but was at last accomplished, and passed into an ordinance, bearing date November 8, 1645, and was to continue in force by way of trial for twelve months; on the 28th of August following, it was prolonged for three years, at the expiration of which term it was made perpetual.

The ordinance sets forth, "That whereas the words presbyter and bishop do in Scripture signify the same function, though the title of bishop has been, by corrupt custom, appropriated to one, who has assumed to himself, in the matter of ordination, that which was not meet; which ordination, notwithstanding being performed by him, we hold for substance to be valid, and not to be disclaimed by any that have received it; and whereas it is manifest, that ordination, that is, an outward, solemn setting apart of persons for the office of the ministry in the church by preaching presbyters, is an institution of Christ, it is therefore ordained by the lords and commons, with the advice of the assembly of divines at Westminster, that the several and respective classical presbyters, within their respective bounds, may examine, approve, and ordain presbyters, according to the

* Husband's Collections, p. 645.

following Directory,"* which I have placed in the Appendix,† and is in substance as follows:

First, "The person to be ordained must apply to the presbytery, with a testimonial of his taking the covenant, of his proficiency in his studies," &c.

Secondly, "He is then to pass under an examination as to his religion and learning, and call to the ministry."

Then follow rules for examination, as in the Appendix.

"After examination he shall receive a public testimonial from his examiners, which shall be read publicly before the people, and then fixed to the door of the church where he preaches for approbation, with liberty to any person or persons to make exceptions.

"Upon the day of ordination a solemn fast shall be kept by the congregation, when, after a sermon, the person to be ordained shall make a public confession of his faith,‡ and declare his resolutions to be diligent and constant in the discharge of his pastoral duty. After which he shall be separated, or set apart, to the pastoral office with a short prayer, and the laying on of the hands of the ministers present. After the ordination, there is to be an exhortation to minister and people, and the whole solemnity to conclude with a psalm and a prayer.

It is farther declared, "that all ordinations, according to the former usage of the church of England, as well as those of Scotland, and other reformed churches, shall be esteemed valid.

"A register is to be kept by every presbytery of the names of the persons ordained by them, of the ministers concerned, and of the time and place where they were settled. No money or gift whatsoever shall be received from the person ordained, or from any on his behalf, for his ordination, or

* Rushworth, part 4. vol. 1. p. 212. † Appendix, no. 9.

‡ It deserves to be noticed here, that the advice and orders of the Westminster assembly are, on this point, very general; namely, "that the person to be ordained be asked of his faith in Jesus Christ, of his persuasion of the truth of the reformed religion according to the Scriptures, and of his zeal for the truth of the gospel and unity of the church, against error and schism." "This, I think, is an evident presumption (observes a late writer), "that the majority of the assembly were against imposing human tests, and making subscription to their confession a necessary term of communion, either to ministers or other Christians." "The religious establishment of Scotland examined, &c." printed for Cadell, 1771, p. 105. This is the more remarkable, as, in other instances, this synod shewed themselves dogmatical and intolerant.—*Ed.*

any thing relating to it, except for the instruments or testimonials, which shall not exceed ten shillings.

Lastly, It is resolved, "that all persons ordained according to this Directory, shall be for ever reputed and taken, to all intents and purposes, for lawfully and sufficiently authorized ministers of the church of England, and as capable of any ministerial employment in the church, as any other presbyter already ordained, or hereafter to be ordained."

To give a short specimen of the debates upon this ordinance; when the passage in Timothy, of "laying on of the hands of the presbytery" was voted a full warrant for presbyters ordaining without a bishop, Mr. Selden, Lightfoot, and some others, entered their dissent, declaring that the imposition of hands there spoken of was only upon ordination of an elder; and though elders might ordain elders, it did not necessarily follow they might ordain bishops.

The Independents maintained the right of every particular congregation to ordain its own officers; this was debated ten days; and the arguments on both sides were afterward published by consent of the several parties, in a book entitled, The Grand Debate between Presbytery and Independency.* At length the question being put, that it is requisite no single congregation, that can conveniently associate with others, should assume to itself the sole right of ordination, it was carried in the affirmative, the following independent ministers entering their dissent:

Tho. Goodwin,	Sidrach Simpson,	Will. Greenhill,
Phil. Nye,	William Bridge,	William Carter.
Jer. Burroughs,		

It was next debated, whether ordination might precede election to a particular cure or charge; Dr. Temple, Mr. Herle, Vines, Palmer, Whitaker, and Calamy, argued for the affirmative. 1. From the ordination of Timothy, Titus, and Apollos, without any particular charge. 2. Because it is a different thing to ordain to an office, and to appropriate the exercise of that office to any particular place. 3. If election must precede ordination, then there must be a new ordination upon every new election. 4. It would then follow, that a minister was no minister out of his own church

* Grand Debate, p. 185.

or congregation. And, 5. Then a minister could not gather or plant churches, or baptize new converts, because, according to the Independents, there must first be a church before there can be a minister.*

Mr. Goodwin, Nye, Bridge, and the rest of the Independents, replied to the foregoing reasons, that Timothy and Titus were extraordinary officers—that it appeared to them absurd, to ordain an officer without a province to exercise the office in—that they saw no great inconvenience in re-ordinations, though they did not admit the consequence, that a person regularly ordained to one church, must be re-ordained upon every removal; but they asserted, that a pastor of one particular church might preserve his character in all places; and if there was extraordinary service to be done in planting new churches, or baptizing converts, the churches might send out their officers, or create new ones for that purpose. The grand difficulty with the Independents lay here, that ordination without election to a particular charge seemed to imply a conveyance of office-power, which, in their opinion, was attended with all the difficulties of a lineal succession. The debates upon this article continued several days, and issued at last in a compromise in these words; "It is agreeable to the word of God, and very expedient, that those who are to be ordained ministers, be designed to some particular church, or other ministerial charge." And with regard to the ceremony of imposition of hands, the Independents acquiesced in the practice, provided it was attended with an open declaration, that it was not intended as a conveyance of office-power.

It may seem absurd to begin the reformation of the church, with an ordinance appointing classical presbyters to ordain ministers within their several districts, when there was not as yet one classical presbytery in all England; but the urgency of affairs required it; the scarcity of ministers would not suffer a delay till the whole fabric of presbytery was erected;† therefore, to supply this defect for the present, the whole business was intrusted with the assembly, who voted, December 24, 1645, that a committee for examination of ministers should sit every Tuesday and Thursday in the afternoon at two o'clock, and the members of the assembly should attend in their turns, as they shall

* MS. *penes me.* † Vide Appendix, no. 9.

be nominated and appointed by the scribe, according to the order of their names in the register-book, five at a time, and each to attend a week.

While the point of ordination was depending, committees were chosen to prepare materials for a new form of discipline and church-government; a measure of the greater consequence, because the old form was dissolved, and no other as yet established in its room.* Here the Independents agreed with the Presbyterians, that there was a certain form of church-government laid down in the New Testament, which was of divine institution; but when they came to the question, what that government was? and, whether it was binding in all ages of the church? both the Erastians and Independents divided against them. The proposition was this, that the Scripture holds forth, that many particular congregations may, and by divine institution ought, to be under one presbyterial government. The debate lasted thirty days; the Erastians did not except against the presbyterial government as a political institution, proper to be established by the civil magistrate, but they were against the claim of a divine right. Upon this occasion Bulstrode Whitelocke, esq. one of the lay-commissioners, stood up, and made the following speech:†

"Mr. Prolocutor,

"I might blush to speak in this reverend assembly, upon the question now in debate before you, had I not, by the honour of being one of your members, seen your candour to others, and observed you to be most capable to give satisfaction to any scruple here, and to enable such as I am to satisfy objections abroad, whereof I have met with some, your question not being under secrecy.

"By government all men understand the prudent and well-ordering of persons and affairs, that men may live well and happily; and by the government of the church, the ordering and ruling of persons and matters having relation to the worship of God, in spiritual matters.

"The word presbyter was in great honour among the Jews, being given to the members of their great sanhedrin, and therefore is not now so properly to be attributed to the rulers of every small congregation. I am none of those, Mr. Prolocutor, who except against the Presbyterian go-

* Vide Appendix, no. 9. † Whitelocke's Memorials, p. 95.

vernment; I think it has a good foundation, and has done much good in the church of Christ.

"But, sir, whether this form of government be *jure divino* or not, may admit of some dispute; and, whether it be now requisite for you to declare, that it is so.

"If the meaning be, that it is *jure divino ecclesiastico*, then the question will be raised, of the magistrates imposing forms upon men's consciences, for then they will be only the magistrates' imposition. But if the meaning be *jure divino absolutè*, it must then be the precept of God, and they are in a sad condition who are not under this government.

"But it is objected, that no form of government is *jure divino*, but that, in general, all things must be done decently, and in order. A government is certainly *jure divino*, but whether presbytery, episcopacy, independency, or any other form of government, be *jure divino*, or not; that is, whether there be a prescript, rule, or command, of Scripture, for any of those forms, will not be admitted by many as a clear thing.

"It may therefore not be unworthy your consideration, whether it be not more prudent at this time to forbear to declare your judgments in this point; the truth will nevertheless continue the same.

"If this government be not *jure divino*, no opinion of any council can make it so; and if it be *jure divino*, it continues so still, though you do not declare it to be so.

"I therefore humbly submit it to your judgments, whether it be not better at this time to avoid giving occasion to disputes of this nature, and only to present your judgment to the parliament, that the government of the church by presbyteries is most agreeable to the word of God, and most fit to be settled in this kingdom; or, in what other expressions you may think fit to clothe your question; and I hope you may soon have a desired issue."

Mr. Selden and St. John were of this mind: and the reverend Mr. Colman was so zealous on this side, that he declaimed against the divine right, not only in the assembly but in the pulpit, apprehending presbytery would prove as arbitrary and tyrannical as prelacy, if it came in on the foot of a divine claim. He therefore proposed, that the civil

magistrate should have the sole power of the keys by way of interim, till the nation was settled.

But the Independents opposed the proposition of the divine right of presbytery, by advancing a counter divine right, of their own scheme; fifteen days they took the part of opponents, and fifteen days they were upon the defensive. To give a short specimen of their debates.

The chief inquiries were, concerning the constitution and form of the first church of Jerusalem; the subordination of synods, and of lay-elders.* Upon the first question the Independents maintained, that the first church at Jerusalem was not larger than could meet in one place. In support of which allegation they produced several passages from the New Testament; as, Acts i. 15, The whole number of disciples being about one hundred and twenty met together with one accord. And Acts ii. 1, They were all with one accord in one place. When they were multiplied to three thousand, it is still said, they met together with one accord, and in one place, Acts ii. 46. When they were farther increased, multitudes being added to them, both men and women, they still met together with one accord, and in one place, Acts v. 12. 14. When the number of disciples had received yet farther addition, so that it became necessary to choose deacons to take care of the poor, the whole multitude were called together, and chose out seven men from among themselves, and set them before the apostles, Acts vi. 2, 5. And even after the general dispersion of the disciples mentioned Acts viii. it is recorded, that those who remained met together in one place as a church. Acts xv. 4. 22, "Then pleased it the apostles and elders, with the whole church, to send chosen men of their own company to Antioch." They allowed, that there was a mention of a presbytery in Scripture, but that it was no other than the presbytery or elders of one particular church or congregation, it being no where expressed, that God has set in the church distinct sorts of presbyteries, such as, consistories, classes, provincial synods, and general assemblies, one above another. They objected also to the high powers claimed by the presbyteries, as the right of admission and exclusion from the Christian church with pains and penalties, which, as they had no foundation

* Grand Debate, p. 13, &c.

in Scripture, were not very consistent with the powers of the civil magistrate.

By way of reply, the Presbyterians maintained, that the church of Jerusalem was made up of more congregations than one, as appeared from the multitude of disciples mentioned in divers places;*—from the many apostles and teachers in the church of Jerusalem, who could not exercise their gifts in one assembly;—and from the diversity of languages mentioned Acts ii. and vi. Now it being granted, that the disciples were too numerous to assemble in one place, it must follow, that they were under one presbyterial government, because they are still called one church, Acts viii. 1, the elders of which are often mentioned in the same history. The ablest critics in the assembly were divided upon this head, as, Dr. Temple, Lightfoot, Selden, Colman, Vines, and others; but it was carried for the Presbyterians.

It was alleged, in favour of the subordination of synods, that the Scripture speaks of an appeal from one or two brethren to the whole church, Matt. xviii. 15; and of the appeal of the church at Antioch to the apostles and elders at Jerusalem, Acts xv. 2.† But the Independents affirmed, that a synod of presbyters is no where called a church; and that the appeal of the church of Antioch was only for advice, not for a judicial determination: but that, supposing the assembly of the apostles at Jerusalem had been a synod, it could neither be provincial nor national in respect of the church at Antioch, and consequently no proof of a subordination. The masters of Jewish antiquities displayed all their learning upon this subject, for the Jewish sanhedrin being proposed as the model of their Christian presbytery, it was necessary to inquire, what were the respective powers of the ecclesiastical and civil courts under the law.‡ Moses having appointed, that he that would not hearken to the priest or the judge, should die, Deut. xvii. 12,—it was inferred, in favour of church-power, that the priest held one court, and the civil magistrate another; but Mr. Selden observed, that the Vulgar Latin till within these forty years reads thus, "Qui non obediverit sacerdoti ex decreto judicis morietur." "He that will not obey the priest shall die

* Grand Debate, p. 11.
† Ibid. p. 115. 128, &c.
‡ Lightfoot's Remarks, p. 17.

by the sentence of the judge;" and Mr. Lightfoot added, that when the judges of inferior courts went up to Jerusalem by way of appeal, it was only for advice and consultation; but when the question was put, December 12, for a subordination of synods with lay-elders, as so many courts of judicature, with power to dispense church-censures, it was carried in the affirmative, and inserted in their humble advice, with this addition, "So Christ has furnished some in his church, besides ministers of the word, with gifts for government, and with commission to execute the same when called thereunto, who are to join with the minister in the government of the church, which officers the reformed churches generally call elders."*

Thus the main foundations of the presbyterial government were voted of divine appointment by a very great majority; but the Independents entered their dissent in writing, and complained to the world "of the unkind usage they met with in the assembly; that the papers they offered were not read; that they were not allowed to state their own questions, being told they set themselves industriously to puzzle the cause, and render the clearest propositions obscure, rather than argue the truth or falseness of them—that it was not worth the assembly's while to spend so much time in debating with so inconsiderable a number of men;† they also declared, that the assembly refused to debate their main proposition, viz. whether a divine right of church-government did not remain with every particular congregation."——To all which it was replied, that the assembly were not conscious they had done them any injustice, and as for the rest, they were the proper judges of their own methods of proceeding.

The Erastians, seeing how things were carried, reserved themselves for the house of commons, where they were sure to be joined by all the patrons of the Independents. The English and Scots commissioners being no less solicitous about the event, gave their friends notice to be early in their

* Vide Appendix, no. 9.

† This is a specimen of that insolence of spirit, that pride and haughtiness in numbers, which a conviction of acting with the majority begets. These men did not recollect, that the Christians themselves at the beginning, were an inconsiderable number of men, and the disciples of the true and faithful witness a "little flock." They had forgotten the gracious promise made to "two or three" only, gathered together in the name of Christ.—Ed.

places, hoping to carry the question before the house should be full; but Mr. Glyn, perceiving their intention, spoke an hour to the point of *jus divinum;* and after him Mr. Whitelocke stood up and enlarged upon the same argument, till the house was full, when the question being put, it was carried in the negative; and that the proposition of the assembly should stand thus, "That it is lawful and agreeable to the word of God, that the church be governed by congregational, classical, and synodical assemblies."*

The disappointment of the Scots commissioners and their friends at the loss of this question in the house, is not to be expressed; they alarmed the citizens with the danger of the church, and prevailed with the common-council to petition the parliament [November 15], that the Presbyterian discipline might be established, as the discipline of Jesus Christ; but the commons answered with a frown, "that the citizens must have been misinformed of the proceedings of the house, or else they would not have precipitated the judgment of parliament." Not discouraged at this rebuke, they prevailed with the city-ministers to petition, who, when they came to the house, were told by the speaker, "they need not wait for an answer, but go home and look to the charges of their several congregations;" and immediately appointed a committee to inquire into the rise of these petitions.

The Presbyterian ministers, despairing of success with the commons, instead of yielding to the times, resolved to apply to the house of lords, who received them civilly, and promised to take their request into consideration; but no advances being made in two months, they were out of all patience, and determined to renew their application; and to give it the greater weight, prevailed with the lord-mayor and court of aldermen to join with them in presenting an address, which they did January 16, "for a speedy settlement of church-government, according to the covenant, and that no toleration might be given to Popery, prelacy, superstition, heresy, profaneness, or any thing contrary to sound doctrine, and that all private assemblies might be restrained."† The lords thanked them for their zeal, and recommended it to the city-magistrates to suppress all such unlawful assemblies; but the houses were not to be moved as yet by such disagreeable importunity; however, this laid the foundation of those jea-

* Whitelocke's Memoirs, p. 106. † Vol. Pamp. no. 34. p. 3.

lousies and misunderstandings between the city and parliament, which in the end proved the ruin of the Presbyterian cause.

But the fiercest contention between the assembly and parliament arose upon the power of the keys, which the former had voted to be in the eldership or presbytery, in these words, "The keys of the kingdom of heaven were committed to the officers of the church, by virtue whereof they have power respectively to retain and remit sins, to shut the kingdom of heaven against the impenitent both by the word and censures, and to open it to the penitent by absolution; and to prevent the profanation of the holy sacrament by notorious and obstinate offenders, the said officers are to proceed by admonition, suspension from the sacrament of the Lord's supper for a season, and by excommunication from the church, according to the nature of the crime, and demerit of the person;"* all which power they claimed, not by the laws of the land, but *jure divino*, or by divine appointment.

The Independents claimed a like power for the brotherhood of every particular congregation, but without any civil sanctions or penalties annexed; the Erastians were for laying the communion open, and referring all crimes to the civil magistrate. When the question therefore came under consideration in the house of commons, the learned Mr. Selden delivered his opinion against all suspensions and excommunications, to this effect, "that for four thousand years there was no law to suspend persons from religious exercises. Strangers indeed were kept from the Passover, but they were Pagans, and not of the Jewish religion. The question is not now for keeping away Pagans in times of Christianity, but Protestants from Protestant worship. No divine can shew, that there is any such command as this to suspend from the sacrament. No man is kept from the sacrament, *eo nomine*, because he is guilty of any sin, by the constitution of the reformed churches, or because he has not made satisfaction. Every man is a sinner; the difference is only, that one is in private, and the other in public. *Die ecclesiæ* in St. Matthew were the courts of law which then sat at Jerusalem. No man can shew any excommunication till the popes Victor and Zephorinus, two hundred years after

* Vide Appendix, no. 9.

Christ, first began to use them upon private quarrels, whereby it appears, that excommunication is a human invention taken from the heathens."*

Mr. Whitelocke spake on the same side of the question, and said, "The assembly of divines have petitioned and advised this house, that in every presbytery, or, Presbyterian congregation, the pastors and ruling elders may have the power of excommunication, and of suspending such as they shall judge ignorant or scandalous.† By pastors, I suppose, they mean themselves, and others who are or may be preachers, and would be bishops or overseers of their congregations. By ruling elders they mean, a select number of such in every congregation as shall be chosen for the execution of government and discipline therein. A pastor is one who is to feed his sheep; and if so, how improper must it be for such to desire to excommunicate any, or keep them from food; to forbid any to eat, or whomsoever they shall judge unworthy, when Christ has said, 'Take, eat, and drink, ye all of it,' though Judas was one of them. But some have said, it is the duty of a shepherd, when he sees a sheep feeding upon that which will do him hurt, to chase him away from that pasture; and they apply this to suspending those from the sacrament whom they fear, by eating and drinking unworthily, may eat and drink their own damnation. But it ought to be observed, that it is not receiving the sacrament, but the unworthiness of the receiver, that brings destruction; and this cannot be within the judgment of any but the person himself, who alone can examine his own heart; nor can any one produce a commission for another to be judge thereof. But it is said, that ruling elders are to be joined with the pastors; now, in some country villages and congregations, perhaps, they may not be very learned, and yet the authority given them is very great: the word elders, amongst the Hebrews, signified men of the greatest power and dignity; so it was among the Romans, whose senate was so called, from *senes*, elders. The highest title among the French, Spaniards, and Italians, *seigneur*, and *seigniori*, is but a corruption of the Latin word *senior*, elder. The same may be observed in our English corporations, where the best and most substantial persons are called aldermen or eldermen. Thus the title of elders

* Rushworth, p. 203. † Whitelocke, p. 163, 164.

may be given to the chief men of every presbytery; but if the power of excommunication be given them, they may challenge the title of elders in the highest signification.

"Power is desired to be given to suspend from the sacrament two sorts of persons, the ignorant and scandalous; now it is possible, that they who are judged to be competent in one place may be deemed ignorant in another; however, to keep them from the ordinances is no way to improve their knowledge. Scandalous persons are likewise to be suspended, and this is to be left to the discretion of the pastors and ruling elders; but where have they such a commission? Scandalous sinners should be admonished to forsake their evil ways, and amend their lives; and how can this be done better, than by allowing them to hear good sermons, and partake of the holy ordinances? A man may be a good physician, though he never cuts off a member from his patient; and a church may be a good church, though no member of it has ever been cut off. I have heard many complaints of the jurisdiction of the prelates, who were but few; now in this ordinance there will be a great multiplication of spiritual men in government, but I am of opinion, that where the temporal sword is sufficient for punishment of offences, there will be no need of this new discipline."

Though the parliament did not deem it prudent wholly to reject the ordinance for excommunication, because it had been the popular complaint in the late times, that pastors of churches had not power to keep unworthy communicants from the Lord's table; yet the speeches of these learned gentlemen made such an impression, that they resolved to render it ineffectual to all the purposes of church-tyranny; accordingly, they sent to the assembly, to specify in writing what degrees of knowledge in the Christian religion were necessary to qualify persons for the communion; and, what sorts of scandal deserved suspension or excommunication. Which, after much controversy, they presented to the houses, who inserted them in the body of their ordinance for suspension from the Lord's supper, dated October 20, 1645, together with certain provisoes of their own.

The ordinance sets forth, that the several elderships within their respective limits, shall have power to suspend, from the sacrament of the Lord's supper, all ignorant and scandalous

persons, within the rules and directions hereafter mentioned, and no others.*

Rules for suspending from the sacrament in case of ignorance.

"All that do not know and believe the being of a God, and the holy Trinity:—They that are not acquainted with original sin, and the fall of man:—They that do not believe Christ to be God and man, and our only mediator and redeemer;—that Christ and his benefits are applied only by faith; which faith is the gift of God, and implies a trusting in him, for the remission of sins, and life everlasting;—the necessity of sincere repentance, and a holy life, in order to salvation;—the nature and importance of the two sacraments, especially of the Lord's supper;—that the souls of the faithful do immediately live with Christ after death; and the souls of the wicked immediately go to hell;—the resurrection of the body, and a final judgment.

Rules for suspension in case of scandal.

"The elderships shall have power to suspend from the sacrament all scandalous persons hereafter mentioned, and no others, being duly convicted by the oaths of two witnesses, or their own confession; that is to say,

"All blasphemers against God, his holy word, or sacraments.

"Incestuous persons; adulterers; fornicators; drunkards; profane swearers and cursers; murderers.

"Worshippers of images, crosses, crucifixes, or relics.

"All that make images of the Trinity, or of any person thereof.

"All religious worshippers of saints, angels, or any mere creature.

"Such as declare themselves not to be in charity with their neighbours.

"Such as shall challenge others to a duel, or that shall accept such challenge.

"Such as knowingly shall carry a challenge either by word, message, or writing.

"Such as profane the Lord's day by dancing, playing at cards or dice, or any other game; or that shall on the Lord's day use masking, wakes, shooting, bowling, playing at foot-ball or stool-ball, wrestling; or that shall resort to plays, in-

* Rushworth, part 4. vol. 1. p. 211.

terludes, fencing, bull-baiting, or bear-baiting; or, that shall use hawking, hunting, coursing, fishing, or fowling; or, that shall publicly expose any wares to sale, otherwise than is provided by the ordinance of April 6, 1644; or, that shall travel on the Lord's day without reasonable cause.

"Such as keep known stews, or brothel-houses; or, that shall solicit the chastity of any person for himself, or another.

"Such parents as give their consent to marry their children to Papists; and such as do themselves marry a Papist.

"Such as consult for advice, witches, wizards, or fortune-tellers.

"Such as assault their parents, or any magistrate, minister, or elder, in the execution of his office.

"Such as shall be legally attained of barretry, forgery, extortion, or bribery.

"And the several elderships shall have power to suspend all ministers who shall be duly convicted of any of the crimes above mentioned from giving or receiving the Lord's supper.

"Persons suspended by one congregation shall not be admitted to the sacrament by another, without certificate from that congregation of which he was a member. But in all cases of suspension, if the party suspended shall manifest his repentance before the eldership by whom he was suspended, he shall be readmitted to the Lord's supper, and the suspension taken off."

But then follow the provisoes, which stripped the presbyteries of that power of the keys which they were reaching at.

"Provided always, that if any person find himself aggrieved with the proceedings of the presbytery to which he belongs, he may appeal to the classical eldership; from them to the provincial assembly; from them to the national; and from them to the parliament.

It is farther provided, "that the cognizance and examination of all capital offences shall be reserved entire to the magistrate appointed by the laws of the kingdom, who, upon his committing the party to prison, shall make a certificate to the eldership of the congregation to which they belonged, who may thereupon suspend them from the sacrament.

"The presbytery or eldership shall not have cognizance of any thing relating to contracts, payments, or demands; or of any matter of conveyance, title, interest, or property, in lands or goods.

"No use shall be made of any confession, or proof made before an eldership, at any trial at law of any person for any offence.

"And it is farther ordained, that those members of parliament who are members of the assembly of divines, or any seven of them, shall be a standing committee, to consider of such other offences or scandals, not mentioned in this ordinance, which may be conceived to be a sufficient cause of suspension from the sacrament, and shall lay them before the parliament."

By an ordinance of June 5, 1646, a discretionary power was lodged in a committee of lords and commons, not less than nine, to adjudge and determine scandalous offences, not formerly enumerated, and report them to the two houses, that if they concurred with the committee they might be added to the catalogue.

By these provisoes it is evident the parliament were determined not to part with the spiritual sword, or subject their civil properties to the power of the church, which gave great offence to the Scots commissioners, and to most of the English Presbyterians, who declaimed against the ordinance, as built upon Erastian principles, and depriving the church of that which it claimed by a divine institution. They allowed of appeals from one spiritual court to another, but declared openly for the pulpit and press, that appeals to the parliament or civil magistrate, as the dernier resort, were insufferable. The parliament, observing their ambition of making the church independent of the state, girt the laws closer about them, and subjected their determinations more immediately to the civil magistrate, by an ordinance dated March 14, 1645—6, which enacts, "that an appeal shall lie from the decisions of every classis, to the commissioners chosen by parliament out of every province, and from them to the parliament itself. That if any person commit any scandalous offences not mentioned in the ordinance, the minister may forbear to administer the sacrament to him for that time; but then he shall, within eight days, certify the same to the commissioners, who shall send up the case,

with their opinions, to the parliament, by whose determination the eldership shall abide."

This ordinance of suspension from the sacrament was extorted from the two houses before the time, by the importunate solicitations of the city-clergy; for as yet there were no classes or presbyteries in any part of England, which ought to have been erected before they had determined their powers. The houses had voted, that there should be a choice of lay-elders throughout England and Wales, and had laid down some rules for this purpose August 19, 1645; but it was the 14th of March following before it passed into a law.

It was then ordained, 1. "That there be forthwith a choice of [ruling] elders throughout the kingdom of England and dominion of Wales.

2. "That public notice be given of such election in every parish, by the minister of the church, a fortnight before; and that on the Lord's day on which the choice is to be made, a sermon be preached suitable to the occasion.

3. "Elections shall be made by the congregation, or the major part of them then assembled being heads of families, and such as have taken the covenant.

4. "That certain persons be appointed triers in every classis, viz. six ministers and three laymen, whereof seven to be a quorum, to determine the validity of elections. All members of parliament, and peers of the realm, to be triers in the parishes wherein they live.

5. "No man to be a ruling elder but for one congregation, and that in the parish where he lives.

6. "The qualifications of a ruling elder are, that he be of good understanding in religion, sound in the faith, prudent, discreet, grave, of unblamable conversation, willing to undergo the office, and in communion with the church.

7. "All parishes, privileged places, exempt jurisdictions, and all other places whatsoever, shall be brought under the exercise of congregational, classical, provincial, and national assemblies, except chapels within any of the king's houses, or the house of peers, which shall continue free for the exercise of religion, according to the Directory, but not otherwise.

8. "The province of London shall be divided into twelve classical elderships, each to contain about twelve parishes

of the city, and parts adjacent, and these to be the boundaries of the province of London.

9. "The several counties of England and Wales shall be divided into classical presbyteries, by persons to be appointed by parliament for this purpose, who shall settle the boundaries of each classis, and certify the same to the parliament for their approbation.

10. "The presbytery or eldership of every parish shall meet once a week; the classical assemblies of each province once a month, by adjournment, in such places as may be most convenient; provincial assemblies shall meet twice a year; national assemblies as often as they shall be summoned by parliament, and shall continue sitting as long as the parliament shall direct and appoint, and not otherwise.

11. "Every congregational or parochial eldership shall send two elders, or more, not exceeding four, and one minister, to the classical assembly; every classical assembly within the province shall send two ministers, and four ruling elders at least, but not to exceed nine, to the provincial assembly. Every provincial assembly shall appoint two ministers, and four ruling elders, which shall constitute a national assembly, when such a one shall be summoned by parliament."*

When this ordinance had passed the commons, it stuck a considerable time with the lords, insomuch that the Presbyterian clergy thought it necessary to quicken them by a petition, May 29, under the hands of three hundred ministers, of Suffolk and Essex, lamenting the decay of religion, and the want of church-discipline, and beseeching their lordships to put the finishing hand to the bill so long depending; which they did accordingly June 6, 1646.

Thus the Presbyterian form of church-government became the national establishment, by way of probation, as far as an ordinance of parliament could make it; for the preamble sets forth, "that if upon trial it was not found acceptable, it should be reversed or amended. It declares farther, that the two houses found it very difficult to make their new settlement agree with the laws and government of the kingdom; that therefore it could not be expected, that a present rule in every particular should be settled at once, but that there will be need of supplements and additions,

* Rushworth, p. 226.

and perhaps alterations, as experience shall bring to light the necessity thereof."

The parliament apprehended they had now established the plan of the Presbyterian discipline, though it proved not to the satisfaction of any one party of Christians; so hard is it to make a good settlement when men dig up all at once old foundations. The Presbyterian hierarchy was as narrow as the prelatical; and as it did not allow a liberty of conscience, claiming a civil as well as ecclesiastical authority over men's persons and properties, it was equally, if not more, insufferable. Bishop Kennet observes, that the settling presbytery was supported by the fear and love of the Scots army, and that when they were gone home it was better managed by the English army, who were for independency and a principle of toleration; but as things stood nobody was pleased; the Episcopalians and Independents were excluded; and because the parliament would not give the several presbyteries an absolute power over their communicants, but reserved the last appeal to themselves, neither the Scots nor English Presbyterians would accept it.

When the scheme was laid before the Scots parliament and general assembly, as a plan for uniformity between the two nations, they insisted upon the following amendments:

(1.) "That no godly minister may be excluded from being a member of classical, provincial, or national assemblies.

(2.) "That the ordinary time for the meeting of the national assembly may be fixed; with a reserve of power to the parliament to convene them when they please, and a liberty to the church to meet oftener on necessary occasions.

(3.) "That the congregational eldership may have power to judge in cases of scandal not expressed. This they conceive cannot be construed lodging an arbitrary power in the church; whereas on the other hand the appointing such provincial commissioners as are settled in the ordinance, will occasion disputes, create a disconformity between this and other churches, and is a mixture in church-government altogether without precedent. This business therefore they conceive may be better managed by assemblies of ministers and ruling elders.

(4.) "That the ordinance for ordination of ministers may be perpetual.

(5.) "The manner of subjecting church-assemblies to the control and decision of parliament, being very liable to mistakes; the exemption likewise of persons of distinction from ecclesiastical censures; and the administering the sacrament to some persons, against the conscience of the ministry and elderships; these and some other particulars, being more than they can admit, they desire may be altered to general satisfaction.

(6.) "As to the articles relating to the perpetual officers of the church, with their respective functions; the order and power of church-assemblies; the directions for public repentance or penance; the rules for excommunication and absolution;"* all these they desire may be fixed and settled pursuant to the covenant, and with the joint advice of the divines of both kingdoms [i. e. the assembly at Westminster] long since offered to both houses.

After the delivery of these papers by the Scots commissioners, and before the houses had returned an answer, they were published with a preface by a private hand, which provoked the houses to such a degree, that, April 14, they voted it to be burnt by the hands of the common hangman, which was done accordingly. April 17, the commons published their answer to the commissioners' papers, in which they declare to the world, "that their real intentions are to settle religion according to the covenant, and to maintain the ancient and fundamental government of this kingdom. They think it strange that any sober and modest men should imagine, they are unwilling to settle any government in the church, after they have declared so fully for the Presbyterian; have taken so much pains for the settling it; have passed most of the particulars brought to them by the assembly of divines, without any material alteration, save in the point of commissioners; and have published so many ordinances for putting the same in execution; only because they cannot consent to the granting an arbitrary and unlimited power and jurisdiction to near ten thousand judicatories to be erected within this kingdom, and this demanded in such a way as is not consistent with the fundamental laws and government of the same, and by necessary conse-

* Rushworth, p. 253.

quence excluding the parliament of England from the exercise of all ecclesiastical jurisdiction. This, say they, has been the great cause that church-government has not been long since settled; and we have the more reason not to part with this power out of the hands of the civil magistrate, since the experience of all ages will manifest, that the reformation and purity of religion, and the preservation and protection of the people of God in this kingdom, have, under God, been owing to the parliament's exercise of this power. If then the minds of any are disturbed for want of the present settling of church-government, let them apply to those [ministers] who, having sufficient power and direction from the houses on that behalf, have not as yet put the same in execution."

The English Presbyterians, having resolved to stand and fall with the Scots, refused peremptorily to comply with the ordinance, relying upon the assistance and support of that nation. Mr. Marshal stood up in the assembly, March 20, and said, that since an ordinance of parliament for church-government was now published, and speedily to be put in execution; and since there were some things in that ordinance which lay very hard upon his conscience, and upon the consciences of many of his brethren (though he blessed God for the zeal of the two houses in settling the government of the church thus far), yet being much pressed in spirit with some things contained therein, he moved, that a committee might be appointed to examine what things in the ordinance were contrary to their consciences, and to prepare a petition to present them to the two houses.*

A petition was accordingly drawn up, and presented March 23, by the whole assembly, with Mr. Marshal at their head. In this petition they assert the divine right of the Presbyterian government, and complain of a clause in the late ordinance, which establishes an appeal from the censures of the church to a committee of parliament. It was a sanguine and daring attempt of these divines, who were called together only for their advice, to examine and censure the ordinances of parliament, and dispute in this manner with their superiors; the commons, alarmed at this petition, appointed a committee to take into consideration the matter and manner of it, who, after some time, reported it as their

* MS. *penes me, sess.* 608.

opinion, that the assembly of divines in their late petition had broken the privileges of parliament, and were guilty of a premunire; and whereas they insisted so peremptorily on the *jus divinum* of the Presbyterian government, the committee had drawn up certain queries, which they desired the assembly might resolve for their satisfaction; the house agreed to the report of the committee, and on the 30th of April sent sir John Evelin, Mr. Nathaniel Fiennes, and Mr. Browne, to the assembly, to acquaint them with their resolutions. These gentlemen set before them their rash and imprudent conduct, and in several speeches shewed wherein they had exceeded their province, which was to advise the houses in such points as they should lay before them, but not to dictate to those to whom they owed their being an assembly. Then they read the votes above mentioned, and delivered in the following questions, with the orders of the house thereupon:

Questions propounded to the assembly of divines by the house of commons, touching the point of jus divinum *in the matters of church-government.*

1. "Whether the congregational and presbyterial elderships appointed by ordinance of parliament, or any other congregational or presbyterial elderships, are *jure divino*, and by the will and appointment of Jesus Christ? and, whether any particular church-government be *jure divino?* and, what that government is?*

2. "Whether all the members of the said elderships, as members thereof, or which of them, are *jure divino*, and by the will and appointment of Jesus Christ?

3. "Whether the classical, provincial, and national assemblies, all or any of them, and which of them, are *jure divino*, and by the will and appointment of Jesus Christ?

4. "Whether appeals from congregational elderships to classical, provincial, and national assemblies, or any of them, and to which of them, are *jure divino*, and by the will and appointment of Jesus Christ? and, whether their powers upon such appeals are *jure divino*, and by the will and appointment of Jesus Christ?

5. "Whether œcumenical assemblies are *jure divino?* and, whether there be appeals from any of the former assemblies

* Rushworth, p. 260.

to the said œcumenical *jure divino*, and by the will and appointment of Jesus Christ?

6. "Whether by the word of God, the power of judging and declaring what are such notorious and scandalous offences, for which persons guilty thereof are to be kept from the sacrament of the Lord's supper, and of convening before them, trying, and actually suspending from the sacrament of the Lord's supper such offenders, is either in the congregational eldership, presbytery, or in any other eldership, congregation, or persons? and, whether such powers are in them only, or any of them, and in which of them *jure divino*, and by the will and appointment of Jesus Christ?

7. "Whether there be any certain and particular rules expressed in the word of God to direct the elderships or presbyteries, congregations or persons, or any of them, in the exercise and execution of the powers aforesaid, and what are those rules?

8. "Is there any thing contained in the word of God, that the supreme magistracy in a Christian state may not judge and determine what are the aforesaid notorious and scandalous offences, and the manner of suspension for the same; and in what particulars concerning the premises is the said supreme magistracy by the word of God excluded?

9. "Whether the provision of commissioners to judge of scandals not enumerated (as they are authorized by the ordinance of parliament) be contrary to that way of government which Christ has appointed in his church? and, wherein are they so contrary?"

In the assembly's answer to these propositions the house of commons ordered the proofs from Scripture to be set down, with the several texts at large, in the express words of the same; and that every minister of the assembly, who should be present at the debate of any of these questions, should subscribe his respective name in the affirmative or negative, according as he gave his vote: and that those who dissented from the major part should set down their positive opinions, with the express texts of Scripture upon which their opinions are grounded.

It is easy to discover the masterly hands of Mr. Selden and Whitelocke in these questions; which were sent to the assembly not with any prospect of a satisfactory answer, but to employ, and, it may be, to divide them, till they saw

how they were like to settle with the king. The houses were afraid of being fettered with the Scots discipline, and yet the Scots were not to be disgusted, because they had an army in the north, to whom the king had committed the custody of his person.

As soon as the assembly had heard the resolutions of the house of commons above mentioned, and the questions read, first by sir J. Evelin, and then by their scribe, they adjourned in a very great fright till next morning, in order to consult their brethren in the city, and then appointed a day of fasting and humiliation for themselves, in reference to their present circumstances, and sent letters to all the members to give their attendance. The fast was observed within their own walls on Wednesday May 6, from nine in the morning till four in the afternoon; and committees were appointed to consider of an answer to the questions, whose report we shall consider under the next year.

In the meantime, we must go back a little, to take a view of the attempts which were making to comprehend the Independents, or dissenting brethren in the assembly within the new establishment, or at least to obtain a toleration for them;* the parliament had ordered, September 13, 1644, that the "committee of lords and commons appointed to treat with the Scots commissioners, and the committee of divines, do take into consideration the differences of the opinions of the members of the assembly in point of church-government, and endeavour a union if possible; and if that cannot be accomplished, endeavour to find out some way how far tender consciences, who cannot in all things submit to the same rule, may be borne with, according to the word of God, and consistent with the public peace." This was called the grand committee of accommodation, which met, the first time, September 20, and chose a sub-committee of six divines of the assembly, to consider the points of difference, and to prepare materials for the consideration of the grand committee; the names of these divines were, the reverend Mr. Marshal, Mr. Herle, Mr. Vines, Dr. Temple, Mr. Goodwin, and Mr. Nye, who, after several consultations among themselves, delivered to the committee certain propositions [October 15, 1644], which were read by Mr. Vines, their chairman: the Independents would have stated

* Papers for Accommodation, p. 1.

the points in variance between the two parties, and endeavoured a compromise while the discipline of the church was depending; but the Presbyterians insisted, that the new form of government should first pass into a law as a standard, before the exceptions of the Independents be considered; upon which they were adjourned by order of the house of commons, till the affair should be determined in the assembly, who agreed, April 4, 1645, that the brethren who had entered their dissent against the Presbyterian government should be a committee to bring in the whole frame of their government in a body, with their grounds and reasons.* The Independents desired liberty to bring in their objections by parts, as the Presbyterians had done their advices; but this not being admitted, they desired time to perfect their plan before any other scheme passed into a law; but the Presbyterians, without any regard to the compromise, by the assistance of their Scots friends, pushed the affair to a conclusion in parliament; upon which the Independents laid aside their own model, and published a remonstrance, complaining of the artful conduct of the assembly, and that the discipline of the church being fixed, it was too late to think any more of a comprehension. The house of commons having seen their mistake resumed this affair with their own hands, and by an order dated November 6, 1645, revived the committee of accommodation, which besides the Scots commissioners, consisted of the following peers, viz.

Earl of Northumberland,	Lord Visc. Say and Seale,	Lord Howard.
Earl of Manchester,	Lord Wharton,	

These were to be met by the following members of the assembly, viz.

Dr. Burges.	Dr. Hoyle,	Dr. Temple,	Dr. Smith,
Mr. Marshal,	Mr. White,	Mr. Palmer,	Mr. Seaman,
Mr. Herle,	Mr. Vines,	Mr. Tuckney,	Mr. Newcomen,
Mr. Reynolds,	Mr. Hill,	Mr. Arrowsmith,	Mr. Young;

with the dissenting brethren of the assembly,

Mr. T. Goodwin,	Mr. Nye,	Mr. Bridge,
Mr. Simpson,	Mr. Burroughs,	Mr. Drury.

The committee met in the Jerusalem-chamber November 17, and would have entered upon a scheme for comprehension, but the Independents moved only for an indulgence or toleration, observing, that as they had already

* Remonstrance, p. 3.

moved in the assembly and elsewhere, that their scheme of government might be debated before the Presbyterian had passed into a law, and for this purpose had offered to prepare a complete model, if they might have been indulged a few days,* and that having been overruled, and another form of government settled; they apprehended themselves shut out from the establishment, and precluded from any farther attempts towards a union or comprehension; but still they were willing to enter upon the second part of the parliament's order, which was to consider, how far tender consciences, who cannot in all things submit to the established rule, may be indulged, consistent with the word of God and the public peace. Accordingly in their next meeting, December 4, they offered the following proposals:

Taking for granted that both sides shall agree in one confession of faith, they humbly crave,

1. That their congregations may have the power of ordination within themselves.

2. That they may not be brought under the power of classes, nor forced to communicate in those parish-churches where they dwell, but that they may have liberty to join with such congregations as they prefer, and that such congregations may have power of all church-censures within themselves, subject only to parliament; and be as so many exempt or privileged places.

To the preamble the Presbyterians replied, that only such as agreed to their confession of faith and Directory should have the benefit of the forbearance to be agreed on, with which the committee concurred; but the Independents would admit only of the affirmative, that such as agree with them should be tolerated; and would not consent to the negative, so as to set bounds or limits of forbearance to tender consciences, nor make such an agreement a necessary qualification for receiving the sacrament.†

To the request of the Independents, of being exempted from the jurisdiction of their classes, and having a liberty of erecting separate congregations, the Presbyterians replied,

1. That this implied a total separation from the established rule.

2. The lawfulness of gathering churches out of other true churches.

* Papers for Accommodation, p. 14. 24.

† Ibid. p. 18, 19. 26, 27.

3. That the parliament would then destroy what they had set up.

4. That the members of Independent churches would then have greater privilege than those of the establishment.

5. That this would countenance a perpetual schism. And,

6. Introduce all manner of confusion in families.*

They therefore proposed, that such as, after conference with their parish-minister, were not satisfied with the establishment, should not be compelled to communicate in the Lord's supper, nor be liable to censures from classes or synods, provided they joined with the parish-congregation where they lived, and were under the government of it in other respects.

The Independents replied, that they did not intend a total separation, but should agree with their brethren in the most essential points; as in worshipping according to the Directory, in choosing the same officers, pastors, teachers, ruling elders, with the same qualifications as in the rule. That they should require the same qualifications in their members as the assembly had advised, that is, visible saints, professing faith in Christ, and obedience to him, according to the rules of faith and life taught by Christ and his apostles;† that they should practice the same church-censures, being accountable for their conduct to their civil superiors. They would also hold occasional communion with the Presbyterian churches, in baptism and the Lord's supper, communicating occasionally with them, and receiving their members to communion as occasion required. Their ministers should preach for each other, and in cases of difficulty they would call in their assistance and advice; and when an ordination falls out, they would desire the presence and approbation of their ministers with their own. Now surely, say they, this does not imply a total separation; but if in some things men cannot comply with the established rule without sin, we think such persons ought not to live without communicating in the Lord's supper all their days, rather than gather into churches where they may enjoy all ordinances without offence to their consciences—nor ought such separation to be accounted schism, which is a name of reproach we desire not to be branded with, when we are willing to maintain Christian love and communion with our neigh-

* Papers of Accommodation, p. 20, 21. † Ibid. p. 29, 30.

bours, as far as our consciences will permit.*—They add farther, that if the state is pleased to grant them this liberty, they will refer themselves to the wisdom of the legislature to consider of limiting their congregations to a certain number, to be as so many receptacles for pious persons of tender consciences.†

The Presbyterians in their next reply, December 23, after having blamed the Independents for not going upon a comprehension, argue against the lawfulness of a separation after this manner: "that if a pretence of conscience be a sufficient ground of separation, men may gather impure and corrupt churches out of purer, because upon the dictate of an erring conscience they may disallow that which is pure, and set up that which is agreeable to their erring consciences; and we very much doubt, say they, whether tenderness of conscience in doubtful points will justify a separation; it may oblige men to forbear communion, but not to set up a contrary practice. If a church impose any thing that is sinful, we must forbear to comply, yet without separation, as was the practice of the Puritans in the late times."‡—They then argue, from the concessions of the Independents, that because they agree with them in so many material points, therefore they should not separate. "If (say they) you can communicate with our church occasionally, once, or a second and third time without sin, we know no reason why you may not do it constantly, and then separation will be needless—as for such a toleration as our brethren desire, we apprehend it will open a door to all sects; and though the Independents now plead for it, their brethren in New England do not allow it."§

As to the charge of schism, they admit, that difference in judgment in some particular points is not schism; nor does an inconformity to some things enjoined deserve that name; but our brethren desire farther to set up separate communions, which is a manifest rupture of our societies into others, and is therefore a schism in the body.‖ This is setting up altar against altar, allowing our churches (as the Independents do) to be true churches; for St. Austin says, "Schismaticos facit non diversa fides, sed communionis disrupta societas." And we conceive, it is the cause of the se-

* Papers for Accommodation, p. 35, 36. † Ibid. p. 40.
‡ Ibid. p. 51. § Ibid. p. 56. ‖ Ibid. p. 65. 73, 74.

paration that makes schism, and not the separation itself; if then the cause of our brethren's separation be not sufficient, by what other name can it be called? To all which they add, that this indulgence, if granted, will be the mother of all contentions, strifes, heresies, and confusions, in the church: and contrary to their covenant, which obliges them to endeavour to their utmost a uniformity.

When the committee met the next time, February 2, 1645—6, the Independents replied chiefly to the point of uniformity, and argued, that it was not necessary to the peace of the churches; and ought not to extend beyond people's light and measure of understanding, according to the apostolical canon, "As far as we have attained let us walk by the same rule," Phil. iii. 15.* As for a mere exemption from the censures of the classes, they declared frankly they could not acquiesce in it, because it would deprive them of the enjoyment of the Lord's supper; and that it was very hard to urge, that because they came so near the brethren, therefore they should be obliged to a total and constant conformity.

The committee met the last time, March 9, when the subcommittee of Presbyterian divines answered the last paper of the Independents, maintaining all their former positions, and concluding in this strange and wonderful manner; "that whereas their brethren say, that uniformity ought to be urged no farther than is agreeable to all men's consciences, and to their edification; it seems to them, as if their brethren not only desired liberty of conscience for themselves, but for all men, and would have us think, that we are bound by our covenant to bring the churches in the three kingdoms to no nearer a conjunction and uniformity than is consistent with the liberty of all men's consciences; which, whether it be the sense of the covenant, we leave with the honourable committee."†

Hereupon the reverend Mr. Jer. Burroughs, a divine of great candour and moderation, declared in the name of the Independents, "that if their congregations might not be exempted from that coercive power of the classes; if they might not have liberty to govern themselves in their own way, as long as they behaved peaceably towards the civil magistrate; they were resolved to suffer, or go to some

* Papers for Accommodation, p. 86. † Ibid. p. 125.

other place of the world, where they might enjoy their liberty. But while men think there is no way of peace but by forcing all to be of the same mind (says he), while they think the civil sword is an ordinance of God to determine all controversies of divinity, and that it must needs be attended with fines and imprisonment to the disobedient; while they apprehend there is no medium between a strict uniformity, and a general confusion of all things; while these sentiments prevail, there must be a base subjection of men's consciences to slavery, a suppression of much truth, and great disturbances in the Christian world."

Thus ended the last committee of lords and commons, and assembly of divines, for accommodation, which adjourned to a certain day, but being then diverted by other affairs never met again. Little did the Presbyterian divines imagine, that in less than twenty years all their artillery would be turned against themselves; that they should be excluded the establishment by an act of prelatical uniformity; that they should be reduced to the necessity of pleading for that indulgence which they now denied their brethren; and esteem it their duty to gather churches for separate worship out of others, which they allowed to be true ones. If the leading Presbyterians in the assembly and city had carried it with temper towards the Independents, on the foot of a limited toleration, they had, in all likelihood, prevented the disputes between the army and parliament, which were the ruin of both; they might then have saved the constitution, and made their own terms with the king, who was now their prisoner; but they were enamoured with the charms of covenant-uniformity, and the divine right of their presbytery, which, after all, the parliament would not admit in its full extent. Mr. Baxter, who was no friend of the Independents, says, "that the Presbyterian ministers were so little sensible of their own infirmities, that they would not agree to tolerate those who were not only tolerable, but worthy instruments and members in the churches, prudent men, who were for union in things necessary, for liberty in things unnecessary, and for charity in all; but they could not be heard."*

Great was the resort of the city-divines to Sion-college at this time, where there was a kind of synod every Monday, to consult proper methods to propagate religion, and

* Baxter's Life, p. 103.

support the assembly at Westminster in their opposition to the toleration of sectaries; for this purpose they wrote them a letter, dated January 15, 1645—6, in which they recite the arguments of the committee, and beseech them to oppose with all their might the great Diana of the Independents,* and not suffer their new establishment to be strangled in the birth by a lawless toleration.

The whole Scots nation was also commanded into the service; the parliament of that kingdom wrote to the two houses at Westminster, February 3, telling them, that "it was expected the honourable houses would add the civil sanction to what the pious and learned assembly have advised; and I am commanded by the parliament of this kingdom (says the president) to demand it, and I do in their names demand it. And the parliament of this kingdom is persuaded, that the piety and wisdom of the honourable houses will never admit toleration of any sects or schisms contrary to our solemn league and covenant."† At the same time they appealed to the people, and published a declaration against toleration of sectaries and liberty of conscience; in which after having taken notice of their great services, they observe, that there is a party in England who are endeavouring to supplant the true religion by pleading for liberty of conscience, which (say they) is the nourisher of all heresies and schisms. They then declare against all such notions as are inconsistent with the truth of religion, and against opening a door to licentiousness, which, to the utmost of their power, they will endeavour to oppose; and as they have all entered into one

* Their Diana was toleration, of which the ministers at Sion-college expressed their detestation and abhorrence; and the design of their letter was to shew the unreasonableness, the sin, and the mischievous consequences, of it. "Not (said they) that we can harbour the least jealousy of your zeal, fidelity, or industry, in the opposing and extirpating of such a root of gall and bitterness as toleration is, and will be, both in present and future ages." Another instance of the same bitter spirit appeared in a piece published by the ministers and elders of London, met together in a provincial assembly November 2, 1749, entitled, "A vindication of the presbyterial government and ministry:" in which they represent the doctrine of universal toleration, as contrary to godliness, opening a door to libertinism and profaneness, and a tenet to be rejected as soul poison. The ministers of Lancashire published a paper in 1648, expressing their harmonious consent with their brethren in London; and remonstrate against toleration, as putting a cup of poison into the hand of a child, and a sword into that of a madman; as letting loose madmen with firebrands in their hands, and appointing a city of refuge in men's consciences, for the devil to fly to; and instead of providing for tender consciences, taking away all conscience. In the same year, another paper was published in Warwickshire by forty-three ministers, breathing the same spirit, and expressing the like sentiments. Crosby's History of the English Baptists, vol. 1. p. 188. 192.—Ed.

† Rushworth, p. 234.

covenant, so to the last man in the kingdom they will go on in the preservation of it. And however the parliament of England may determine in point of toleration and liberty of conscience, they are resolved not to make the least start, but to live and die, for the glory of God, in the entire preservation of the truth.

Most of the sermons before the house of commons, at their monthly fasts, spoke the language of severity, and called upon the magistrate to draw his sword against the sectaries. The press teemed with pamphlets of the same nature; Mr. Prynne against J. Goodwin says, that if the parliament and synod establish presbytery, the Independents and all others are bound to submit, under pain of obstinacy. Another writes, that to let men serve God according to the persuasion of their own consciences, is to cast out one devil that seven worse may enter.

But the cause of liberty was not destitute of advocates at this time; the Independents pleaded for a toleration so far as to include themselves and the sober Anabaptists, but did not put the controversy on the most generous foundation; they were for tolerating all who agreed in the fundamentals of Christianity, but when they came to enumerate fundamentals they were sadly embarrassed, as all must be who plead the cause of liberty, and yet do not place the religious and civil rights of mankind on a separate basis: a man may be an orthodox believer, and yet deserve death as a traitor to his king and country; and on the other hand, a heretic or errant nonconformist to the established religion may be a loyal and dutiful subject, and deserve the highest preferment his prince can bestow.

The letter of the city-divines to the assembly received a quick reply from a writer of more generous principles, who complains, "that the Presbyterians, not content with their own freedom and liberty, nor with having their form of government made the national establishment, were grasping at as much power as the prelates before them had usurped; for this purpose they had obtained the privilege of licensing the press, that nothing might be written against them but what they should please to approve;* they were continually soliciting the parliament to establish their church-government, which they called the government of Christ,

* Vol. Pamphlets, no. 52.

with a coercive power; they were always busy in framing petitions, and engaging the magistrates of the city to present them to the houses; and not content with this, they were now moving the assembly of divines, of whom themselves are a considerable part, to become the patrons of oppression." Our author maintains, that "liberty of conscience is the natural right of every man, though of all parties of men those deserve least the countenance of the state, who would persecute others if it were in their power, because they are enemies of the society in which they live." He that will look back on past times, and examine into the true causes of the subversion and devastation of states and countries, will find it owing to the tyranny of princes, and the persecution of priests. All governments therefore which understand their true interests, will endeavour to suppress in every sect, or division of men, whether Papist, Episcopal, Presbyterian, Independent, or Anabaptist, the spirit of dominion and persecution, which is the disturber of mankind, and the offspring of the devil. But the ministers say, if we tolerate one sect we must tolerate all; which our author admits, and adds, that they have as good a right to the liberty of their consciences as to their clothes or estates; no opinions or sentiments of religion being cognizable by the magistrate, any farther than they are inconsistent with the peace of the civil government. The way to put an end to diversity of opinions is not by fines and imprisonments; can Bedlam, or the Fleet, open men's understandings, and reduce them from error? No certainly, nothing but sound reason and argument can do it, which, it is to be feared, they are not furnished with, who have recourse to any other weapons. Schism and heresy are to be rooted out, not by oppression, but by reason and debate; by the sword of the Spirit, not of the flesh; by argument, not by blows, to which men have recourse when they are beat out of the other. Schism and heresy are words of terror thrown upon the adversary by all parties of men; and perhaps, there may need an infallible judge to determine where the schism lies, before we venture upon extraordinary methods to extirpate it." He adds, "that persecution will breed more confusion and disturbance than toleration; and that their solemn league and covenant ought to bind them no farther than it is consistent with the word of God. Now, that toleration,

or liberty of conscience, is the doctrine of Scripture, is evident, 1. From the parable of the tares and wheat growing together till the harvest. 2. From the apostle's direction, "Let every man be persuaded in his own mind." 3. That "of whatsoever is not faith is sin." 4. From our Saviour's golden rule, "Whatsoever ye would that men should do to you, that do ye to them."——

This pamphlet was answered by another, entitled, Anti-Toleration, in which the author endeavours to vindicate the most unbounded licence of persecution; but neither the assembly, nor the city-divines, nor the whole Scots nation, could prevail with the parliament to deliver the sword into their hands. The high behaviour of the Presbyterians lost them the affections of great numbers of people, who began to discover that the contention between them and the prelates was not for liberty but power, and that all the spiritual advantage they were like to reap from the war was to shift hands, and instead of episcopal government to submit to the yoke of Presbyterial uniformity.

Lord Clarendon admits,* that the king endeavoured to make his advantage of these divisions, by courting the Independents, and promising some of them very valuable compensations for any services they should do him; intimating, that it was impossible for them to expect relief in their scruples from persons who pretended they were erecting the kingdom of Christ; but though the Independents were enemies to the Presbyterian discipline, they had no confidence in the king's promises. Mr. Whitelocke† agrees with the noble historian, that the king was watchful to take advantage of these divisions, and commanded one Ogle to write to Mr. Tho. Goodwin, and Phil. Nye, two of the Independent ministers, and make them large overtures, if they would oppose the Presbyterian government intended to be imposed upon England by the Scots; but these two gentlemen very honestly acquainted their friends with the proposal, which put an end to the correspondence; all which might have convinced the Presbyterians of the necessity of coming to some terms with the dissenters; but the king's affairs were so low, that they were under no apprehensions of disturbance from that quarter at present.

The assembly perfected nothing farther this year; how-

* Vol. 2. p. 746. † Ibid. p. 76.

ever, complaint being made of the obsolete version of the Psalms by Sternhold and Hopkins, the parliament desired them to recommend some other to be used in churches; accordingly they read over Mr. Rouse's version, and after several amendments, sent it up to the house November 14, 1645, with the following recommendation: "Whereas the honourable house of commons, by an order bearing date November 20, 1643, have recommended the Psalms published by Mr. Rouse to the consideration of the assembly of divines, the assembly has caused them to be carefully perused, and as they are now altered and amended do approve them, and humbly conceive they may be useful and profitable to the church, if they be permitted to be publicly sung;"* accordingly they were authorized by the houses. Care was also taken to prevent the importation of incorrect Bibles printed in Holland.†

To return to the proceedings of parliament. The committee for plundered ministers having reported to the house of commons, January 28, 1645, certain blasphemies of Paul Best, who denied the holy Trinity; the house ordered an ordinance to be brought in [March 28], to punish him with death;‡ but several divines being appointed to confer with him, in order to convince him of his error, he confessed his belief of that doctrine in general terms before he was brought to his trial, and that he hoped to be saved thereby, but persisted in denying the personality, as a Jesuitical tenet; upon this confession his trial was put off, and he was at length discharged.

The government of the church being now changed into a Presbyterian form, and the war almost at an end, the parliament resolved to apply the revenues of the cathedrals to other public uses, and accordingly, November 18, it was ordained, "That whereas the present dean and prebendaries of Westminster have deserted their charge, and were become delinquents to the parliament, they did therefore ordain, that the earl of Northumberland, with about ten other lords, and twenty-two commoners, should be a committee: and that any person or more of them should have authority to order, direct, and dispose, of the rents, issues, and profits, belonging to the college, or collegiate-church, and to do and execute all other acts that did any way concern either of

* MS. scss. 535. † Parl. Chr. p. 319. ‡ Whitelocke, p. 196.

them."* They ordained farther, "that the dean, prebendaries, and all other officers belonging either to the college or church, who had absented themselves, and were become delinquents, or had not taken the covenant, should be suspended from their several offices and places, and from all manner of benefit and profit arising from them, or from the arrears of them, Mr. Osbaldeston only excepted.

When the cathedral of Hertford fell into the parliament's hands, the dignitaries of that church were dispossessed, and their lands and revenues seized into the hands of the committee of that county. The dignitaries of the cathedral churches of Winchester and Carlisle were served in the same manner the latter end of this year, when the whole frame of the hierarchy was dissolved.

The parliament, at the request of the assembly of divines, gave some marks of their favour to the university of Cambridge, which was reduced to such necessitous circumstances, by reason of the failure of their college-rents, that they could not support their students; it was therefore ordained, April 11, 1645, "that nothing contained in any ordinance of parliament concerning levying or paying of taxes should extend to the university of Cambridge, or any of the colleges or halls within the said university, nor to any of the rents or revenues belonging to the said university, or colleges, or any of them, nor to charge any master, fellow, or scholar, of any of the said colleges, nor any reader, officer, or minister, of the said university or colleges, for any stipend, wages, or profit, arising or growing due to them, in respect of their places and employments in the said university."† They likewise confirmed all their ancient rights and privileges, and ordered the differences between the university and town to be determined according to law. On the same day the ordinance for regulating the university, and removing scandalous ministers in the associated counties by the earl of Manchester, mentioned in the beginning of the last year, was revived and continued.

On the 17th of April this year died Dr. Dan. Featly; he was born at Charlton in Oxfordshire, 1581, and educated at Corpus-Christi college, of which he was fellow; upon his leaving the university he went chaplain to sir Thomas Symmonds, the king's ambassador to the French court, where

* Husband's Collections, p. 758. † Ibid. p. 636, 637.

he gained reputation by his sermons and disputations with the Papists.* When he returned home he became domestic chaplain to archbishop Abbot, and was presented by him to the rectory of Lambeth, and in the year 1627, to that of Acton. In 1643, he was nominated of the assembly of divines, and sat among them till his correspondence with the court was discovered, by an intercepted letter to archbishop Usher relating to their proceedings; upon which he was committed to lord Peters's house for a spy, both his livings were sequestered, and himself expelled the assembly.† The doctor was a thorough Calvinist, but very zealous for the hierarchy of the church; so that when in prison he published the following challenge:

"Whereas I am certainly informed, that divers lecturers and preachers in London do in their pulpits, in a most insolent manner, demand where they are now, that dare stand up in defence of the church-hierarchy, or Book of Common Prayer, or any ways oppose or impugn the new-intended reformation both in doctrine and discipline of the church of England; I do, and will maintain, by disputation or writing, against any of them, these three conclusions:

1. "That the articles of religion agreed upon in the year 1562, by both houses of convocation, and ratified by queen

* There was also a celebrated piece from his pen, levelled against the Baptists. It originated from a disputation which he held with four of that persuasion in Southwark, in the month of October 1641. About two years afterward he published an account of this debate in a book, entitled, "The dippers dipped; or, the Anabaptists ducked, and plunged over head and ears, at a disputation in Southwark." This title savoured of the taste and spirit of the times, and is no favourable omen of the strain of the work. In his dedication, he tells the reader, "that he could hardly dip his pen in any thing but gall." The doctor wrote indeed under an irritation of spirits from being deprived of two livings, which he enjoyed before the unhappy differences between the king and parliament. He had the character, however, of an acute as well as vehement disputant. He had for his fellow-prisoner Mr. Henry Denne, educated at the university of Cambridge, and ordained in 1630, by the bishop of St. David, who signalized himself by his preaching, writing, disputing, and suffering, for the baptistical opinion. As soon as he came into prison, Dr. Featly's book was laid before him in his apartment; when he had read it, he offered to dispute with the author on the arguments of it. The challenge was accepted, and they debated on the first ten arguments, when the doctor declined proceeding, urging that it was not safe for them to dispute on the subject without licence from government; but he bid Mr. Denne write, and said he would defend his own arguments. Mr. Denne, on this, drew up a learned and ingenious answer; but it does not appear that the doctor ever replied. He was esteemed one of the greatest ornaments of the Corpus-Christi college: and acquitted himself with great applause in a funeral oration on the death of its celebrated master Dr. Rainolds; and in a public exercise with which he entertained the archbishop of Spalato. Unwholesome air, bad diet, and worse treatment, hastened his death. Crosby's History of the English Baptists, vol. 1. p. 152 and 303; and Granger's History of England, vol. 2. p. 176, 177, 8vo.—Ed.

† See before, chap. 2.

Elizabeth, need no alteration at all, but only an orthodox explication of some ambiguous phrases, and a vindication against false aspersions.

2. "That the discipline of the church of England, established by many laws and acts of parliament, that is, the government by bishops (removing all innovations and abuses in the execution thereof) is agreeable to God's word, and a truly ancient and apostolical institution.

3. "That there ought to be a set form of public prayer; and that the Book of Common Prayer (the calendar being reformed in point of apocryphal saints and chapters, some rubrics explained, and some expressions revised, and the whole correctly printed with the Psalms, chapters, and allegations, out of the Old and New Testament, according to the last translation) is the most complete, perfect, and exact liturgy now extant in the Christian world."

The doctor was a little man, of warm passions, and exceedingly inflamed against the parliament for his imprisonment, as appears by his last prayer a few hours before his death, which happened at Chelsea, whither he had been removed for the benefit of the air, in the sixty-fifth year of his age. His prayer had these words in it,—"Lord, strike through the reins of them that rise against the church and king, and let them be as chaff before the wind, and as stubble before the fire; let them be scattered as partridges on the mountains, and let the breath of the Lord consume them; but upon our gracious sovereign and his posterity let the crown flourish."—A prayer not formed after the model of St. Stephen's, or that of our blessed Saviour upon the cross.

The writer of the life of archbishop Usher says, the doctor was both orthodox and loyal; but lord Clarendon and Dr. Heylin cannot forgive his sitting in the assembly, and being a witness against archbishop Laud at his trial. "Whether he sat in the assembly (says Heylin) to shew his parts, or to head a party, or out of his old love to Calvinism, may best be gathered from some speeches which he made and printed; but he was there in heart before, and therefore might afford them his body now, though possibly he might be excused from taking the covenant as others did."*

Soon after died famous old Mr. John Dod, whose pious

* Hist. Presb. p. 464

and remarkable sayings are remembered to this day; he was born at Shotlidge in Cheshire in the year 1550, and educated in Jesus-college, Cambridge, of which he was fellow.* At thirty years of age he removed to Hanwell in Oxfordshire, where he continued preaching twice on the Lord's day, and once on the week-days for above twenty years; at the end of which he was suspended for nonconformity by Dr. Bridges, bishop of the diocess. Being driven from Hanwell he removed to Canons-Ashby in Northamptonshire, and lived quietly several years, till upon complaint made by bishop Neal to king James he commanded archbishop Abbot to silence him. After the death of king James, Mr. Dod was allowed to preach publicly again, and settled at Faustly in the same county, where he remained till his death. He was a most humble, pious, and devout man, and universally beloved; an excellent Hebrician, a plain, practical, fervent preacher, a noted casuist, and charitable almost to a fault; his conversation was heavenly; but being a noted Puritan, though he never meddled with state-affairs, he was severely used by the king's cavaliers, who plundered his house, and would have taken away his very sheets, if the good old man, hardly able to rise out of his chair, had not put them under him for a cushion; all which he endured patiently, calling to mind one of his own maxims,† Sanctified afflictions are spiritual promotions.‡ He died of the strangury in the ninety-sixth year of his age, and lies buried in his parish-church at Faustly.

* Clark's Martyrol. p. 168 of the annexed lives.

† His name has derived celebrity from his maxims, usually called Dod's Sayings: they having been printed in various forms; many of them, on two sheets of paper, are still to be seen pasted on the walls of cottages. "An old woman in my neighbourhood told me," says Mr. Granger, "that she should have gone distracted for the loss of her husband, if she had been without Mr. Dod's Sayings in the house." History of England, vol. 1. p. 370, 8vo.—Ed.

‡ Fuller's Ch. Hist. p. 220.

CHAP. VII.

THE CONCLUSION OF THE FIRST CIVIL WAR, BY THE KING'S SURRENDERING HIS ROYAL PERSON TO THE SCOTS. PETITIONS OF THE ASSEMBLY AND CITY DIVINES AGAINST TOLERATION, AND FOR THE DIVINE RIGHT OF THE PRESBYTERIAL GOVERNMENT, WHICH IS ERECTED IN LONDON. DEBATES BETWEEN THE KING, MR. HENDERSON, AND THE SCOTS COMMISSIONERS. HIS MAJESTY IS REMOVED FROM NEWCASTLE TO HOLMBY-HOUSE. FARTHER ACCOUNT OF THE SECTARIES.

THE king being returned to Oxford, November 6, 1646, after an unfortunate campaign, in which all his armies were beaten out of the field, and dispersed, had no other remedy left but to make peace with his subjects, which his friends in London encouraged him to expect he might be able to accomplish, by the help of some advantage from the growing divisions among the members, the majority of whom were inclined to an accommodation, provided the king would consent to abolish episcopacy, and offer sufficient assurances to govern for the future according to law.* But though his majesty was willing to yield a little to the times, with regard to the security of the civil government, nothing could prevail with him to give up the church. Besides, as the king's circumstances obliged him to recede, the parliament as conquerors advanced in their demands. In the month of December, his majesty sent several messages to the parliament, to obtain a personal treaty at London, upon the public faith, for himself and a certain number of his friends, residing there with safety and honour forty days; but the parliament would by no means trust their enemies within their own bowels, and therefore insisted peremptorily upon his signing the bills they were preparing to send him, as a preliminary to a well-grounded settlement.

The king made some concessions on his part, relating to the militia and liberty of conscience, but very far short of the demand of the two houses, who were so persuaded of his art and ability in the choice of ambiguous expressions,

* Rapin, p. 320.

capable of a different sense from what appeared at first sight, that they durst not venture to make use of them as the basis of a treaty.* Thus the winter was wasted in fruitless messages between London and Oxford, while the unfortunate king spent his time musing over his papers in a most disconsolate manner, forsaken by some of his best friends, and rudely treated by others. Mr. Locke says, the usage the king met with from his followers at Oxford made it a hard but almost an even choice, to be the parliament's prisoner, or their slave. In his majesty's letter to the queen he writes, "If thou knew what a life I lead in point of conversation, I dare say thou wouldst pity me." The chief officers quarrelled, and became insupportably insolent in the royal presence; nor was the king himself without blame; for being deprived of his oracle the queen, he was like a ship in a storm without sails or rudder. Lord Clarendon† therefore draws a veil over his majesty's conduct in these words: "It is not possible to discourse of particulars with the clearness that is necessary to subject them to common understandings, without opening a door for such reflections upon the king himself, as seem to call both his wisdom and steadiness in question; as if he wanted the one to apprehend and discover, and the other to prevent, the mischiefs that were evident and impending." And yet nothing could prevail with him to submit to the times, or deal frankly with those who alone were capable of retrieving his affairs.

The king having neither money nor forces, and the queen's resources from abroad failing, his majesty could not take the field in the spring, which gave the parliament-army an easy conquest over his remaining forts and garrisons. All the west was reduced before Midsummer, by the victorious army of sir Tho. Fairfax; the city of Exeter surrendered April 9, in which one of the king's daughters, princess Henrietta, was made prisoner, but her governess the countess of Dalkeith found means afterward to convey her privately into France. Dennington-castle surrendered April 1, Barnstaple the 12th, and Woodstock the 26th; upon which it was resolved to strike the finishing blow, by besieging the king in his head-quarters at Oxford; upon the news of which, like a man in a fright, he left the city by night, April 27, and travelled as a servant to Dr. Hudson and Mr. Ashburnham,

* Rushworth, vol. 6. p. 215, 216. † Vol. 4. p. 626.

with his hair cut round to his ears, and a cloke-bag behind him, to the Scots army before Newark.* His majesty surrendered himself to general Levan, May 5, who received him with respect, but sent an express immediately to the two houses, who were displeased at his majesty's conduct, apprehending it calculated to prolong the war, and occasion a difference between the two nations; which was certainly intended, as appears by the king's letter from Oxford to the duke of Ormond, in which he says, he had good security, that he and all his adherents should be safe in their persons, honours, and consciences, in the Scots army, and that they would join with him, and employ their forces to obtain a happy and well-grounded peace; whereas the Scots commissioners, in their letter to the house of peers, aver, "they had given no assurance, nor made any capitulation for joining forces with the king, or combining against the two houses, or any other private or public agreement whatsoever, between the king on one part, and the kingdom of Scotland, their army, or any in their names, and having power from them, on the other part;" and they called the contrary assertion a damnable untruth; and add, "that they never expect a blessing from God any longer than they continue faithful to their covenant."† So that this must be the artifice of Montreville, the French ambassador, who undertook to negotiate between the two parties, and drew the credulous and distressed king into that snare, out of which he could never escape.

His majesty surrendering his person to the Scots, and sending orders to the governors of Newark, Oxford, and all his other garrisons and forces, to surrender and disband, concluded the first civil war; upon which most of the officers, with prince Rupert and Maurice, retired beyond sea; so that by the middle of August all the king's forces and

* Rapin, vol. 2. p. 523. Rushworth, vol. 6. p. 268. 273, 274. 303, 304.

† Dr. Grey, to confute these declarations, which Mr. Neal has brought forward, quotes several affidavits and assertions of Dr. Hudson; the substance of which is, that the Scots agreed to secure the person and honour of the king; to press him to nothing contrary to his conscience; to protect Mr. Ashburnham and himself; and if the parliament refused to restore the king, upon a message from him, to his rights and prerogatives, to declare for him, and take all his friends into their protection. But the doctor omits to observe, that Hudson spoke on the authority of the French agent, one Montreville, who negotiated the business between the king and the Scots; and who, it appears, promised to the king more than he was empowered; and was recalled and disgraced. Rapin, vol. 2. p. 523, 524. It is more easy to conceive, that Montreville exceeded his commission, as according to Hudson's confession, quoted by Dr. Grey, the Scots would not give any thing under their hands.—Ed.

castles were in the parliament's hands; Ragland-castle being the last; which was four years wanting three days, from the setting up the royal standard at Nottingham.

Some time before the king left Oxford he had commissioned the marquis of Ormond to conclude a peace with the Irish Papists, in hopes of receiving succours from thence, which gave great offence to the parliament; but though his majesty upon surrendering himself to the Scots wrote to the marquis June 11,* not to proceed; he ventured to put the finishing hand to the treaty, July 28, 1646, upon the following scandalous articles,† among others which surely the marquis durst not have consented to, without some private instructions from the king and queen.

1. "That the Roman Catholics of that kingdom shall be discharged from taking the oath of supremacy.

2. "That all acts of parliament made against them shall be repealed; that they be allowed the freedom of their religion, and not be debarred from any of his majesty's graces or favours.

3. "That all acts reflecting on the honour of the Roman-Catholic religion since August 7, 1641, be repealed.

4. "That all indictments, attainders, outlawries, &c. against them, or any of them, be vacated and made void.

5. "That all impediments that may hinder their sitting in parliament, or being chosen burgesses, or knights of the shire, be removed.

6. "That all incapacities imposed upon the nation be taken away, and that they have power to erect one or more inns of court in or near the city of Dublin; and that all Catholics educated there be capable of taking their degrees without the oath of supremacy.

7. "That the Roman Catholics shall be empowered to erect one or more universities, and keep free-schools for the education of their youth, any law or statute to the contrary notwithstanding.

8. "That places of command, honour, profit, and trust, shall be conferred on the Roman Catholics, without making

* Lord Digby wished to have it understood, that this letter was surreptitious, or a forged one from his majesty, and most contrary to what he knew to be his free resolution and unconstrained will and pleasure. Dr. Grey.—Ed.

† Mr. Neal, as Dr. Grey observes, gives only a very concise abridgment of these articles; which were thirty in number, and, as they stand in Rushworth, take up almost twelve pages in folio. But Mr. Neal's view of some of them, though the doctor calls it curtailing them, is sufficient to shew the tenor and spirit of the whole.—Ed.

any difference between them and Protestants, both in the army and in the civil government.*

9. "That an act of oblivion shall be passed in the next parliament, to extend to all the Roman Catholics and their heirs, absolving them of all treasons and offences whatsoever, and particularly of the massacre of 1641,† so that no persons shall be impeached, troubled, or molested, for any thing done on one side or the other.

10. "That the Roman Catholics shall continue in possession of all those cities, forts, garrisons, and towns, that they are possessed of, till things are come to a full settlement."‡

Was this the way to establish a good understanding between the king and his two houses? or could they believe, that his majesty meant the security of the Protestant religion, and the extirpation of Popery in England, when his general consented to such a peace in Ireland, without any marks of his sovereign's displeasure? nay, when, after a long treaty with the parliament-commissioners, he refused to deliver up the forts and garrisons into their hands, insomuch that after six weeks' attendance, they were obliged to return to their ships, and carry back the supplies they had brought for the garrisons,§ having only published a declaration, that the parliament of England would take all the

* Rushworth, part 4. vol. 1. p. 402.

† But it was provided, that such barbarities, as should be agreed on by the lord-lieutenant, and the lord viscount Mountgarret, or any five or more of them, should be tried by such indifferent commissioners as they should appoint. Dr. Grey.—Ed.

‡ Our author having called the preceding propositions "scandalous articles," Dr. Grey appeals from his sentence to the remonstrance of the Protestant archbishops, bishops, and inferior clergy, of the kingdom of Ireland to the lord-lieutenant, on the 11th and 13th of August, 1646, in which they express a strong and grateful sense of obligation for the peace established among them. But it will still remain a question, whether the sentiment of these prelates and clergy were disinterested and judicious.—Ed.

§ Our author incurs here the censure of Dr. Grey for not "affording us any authority in proof of this assertion." The editor confesses, that he cannot supply the omission. Dr. Grey confronts Mr. Neal with large quotations from lord Clarendon's History of the Rebellion in Ireland, p. 53, 54. 65, 66. 73—75. But they appear not to the point for which they are produced. The purport of them is, "that the marquis of Ormond resolved not to proceed to any conjunction with the commissioners without his majesty's express directions, for which he privately dispatched several expresses: that, in consequence of this, the commissioners, not obtaining possession of the garrisons, returned with all their supplies to their ships: that the marquis received his majesty's order not to deliver up the garrisons, if it were possible to keep them under the same entire obedience to his majesty: but should there be a necessity, to put them into the hands of the English, rather than of the Irish." The rest of the quotation describes the difficulties and distresses under which the marquis laboured, which drove him at last to make a disadvantageous agreement with the commissioners. The reader will judge, whether by these references Mr. Neal's assertions are not, instead of being confuted, established. See also Mrs. Macaulay, vol. 4. p. 250, note †—Ed.

Protestants of Ireland into their protection, and send over an army to carry on the war against the Papists with vigour.

The king being now in the hands of the Scots, the English Presbyterians at London resumed their courage, concluding they could not fail of a full establishment of their discipline, and of bringing the parliament at Westminster to their terms of uniformity; for this purpose they framed a bold remonstrance in the name of the lord-mayor, aldermen, and common-council, and presented it to the house May 26, complaining,* "that the reins of discipline were let loose; that particular congregations were allowed to take up what form of divine service they pleased, and that sectaries began to swarm by virtue of a toleration granted to tender consciences. They put the parliament in mind of their covenant, which obliged them to endeavour the extirpation of Popery, prelacy, superstition, heresy, schism, profaneness, and whatsoever else was found contrary to sound doctrine; and at the same time to preserve and defend the person and authority of the king; they therefore desired, since the whole kingdom was now in a manner reduced to the obedience of the parliament, that all separate congregations may be suppressed; that all such separatists who conform not to the public discipline may be declared against, that no person disaffected to the presbyterial government set forth by parliament, may be employed in any place of public trust;† that the house will endeavour to remove all jealousies between them and the Scots, and hasten their propositions to the king, for a safe and well-grounded peace."‡

This remonstrance was supported by the whole Scots nation, who acted in concert with their English brethren, as appears by a letter of thanks to the lord-mayor, aldermen, and common-council, from the general assembly, dated June 10, 1646, within a month after the delivery of the remonstrance;§ the letter commends their courageous appearance against sects and sectaries; their firm adherence to the

* Vol. Pamp, no. 34.

byterianism thus displayed the same intolerance as episcopacy had done. "Religious tyranny (observes Mr. Robinson) subsists in various degrees, as all civil tyrannies do. Popery is the consummation of it, and presbyterianism a weak degree of it. But the latter has in it the essence of the former: and differs from it only as a kept-mistress differs from a street-walker; or, as a musket differs from a cannon." Plan of Lectures, 5th edition, p. 38.—Ed.

‡ Whitelocke's Memorials, p. 212. § Rushworth, p. 306.

covenant, and their maintaining the presbyterial government to be the government of Jesus Christ. It beseeches them to go on boldly in the work they had begun, till the three kingdoms were united in one faith and worship. At the same time they directed letters to the parliament, beseeching them also, in the bowels of Jesus Christ, to give to him the glory that is due to his name, by an immediate establishing of all his ordinances in their full integrity and power, according to the covenant. Nor did they forget to encourage the assembly at Westminster to proceed in their zeal against sectaries, and to stand boldly for the sceptre of Jesus Christ against the encroachments of earthly powers. These letters were printed and dispersed over the whole kingdom.

The wise parliament received the lord-mayor and his brethren with marks of great respect and civility; for neither the Scots nor English Presbyterians were to be disgusted, while the prize was in their hands, for which both had been contending; but the majority of the commons were displeased with the remonstrance and the high manner of enforcing it, as aiming, by a united force, to establish a sovereign despotic power in the church, with a uniformity, to which themselves, and many of their friends, were unwilling to submit; however, they dismissed the petitioners with a promise to take the particulars into consideration.

But the Independents and sectarians in the army, being alarmed at the impending storm, procured a counter petition from the city with great numbers of hands, "applauding the labours and successes of the parliament in the cause of liberty, and praying them to go on with managing the affairs of the kingdom according to their wisdoms, and not suffer the freeborn people of England to be enslaved upon any pretence whatsoever; nor to suffer any set of people to prescribe to them in matters of government or conscience, and the petitioners will stand by them with their lives and fortunes." Mr. Whitelocke says, the hands of the royalists were in this affair, who, being beaten out of the field, resolved now to attempt the ruin of the parliament, by sowing discord among their friends.*

The houses were embarrassed between the contenders for liberty and uniformity, and endeavoured to avoid a decision, till they saw the effect of their treaty with the king.

* Oldmixon's History of the Stuarts, p. 308. Memorials, p. 213.

They kept the Presbyterians in suspence, by pressing the assembly for their answer to the questions relating to the *jus divinum* of presbytery already mentioned, insinuating that they themselves were the obstacles to a full settlement, and assuring them, when this point was agreed, they would concur in such an ordinance as they desired. Upon this the assembly appointed three committees to take the questions into consideration; but the Independents took this opportunity to withdraw, refusing absolutely to be concerned in the affair.

The first committee was appointed to determine, whether any particular church-government was *jure divino*, and to bring their proofs from Scripture. But here they stumbled at the very threshold, for the Erastians divided them, and entered their dissent, so that when the answer was laid before the assembly, it was not called the answer of the committee, but of some brethren of the committee; and when the question was put, they withdrew from the assembly, and left the high Presbyterians to themselves, who agreed, with only one dissenting voice, that Jesus Christ, as king of the church, hath himself appointed a church-government distinct from the civil magistrate. The names of those who subscribed this proposition were,

Rev. Mr. White	Rev. Mr. Woodcocke	Rev. Mr. Vines
Mr. Palmer	Mr. Carter, jun.	Mr. Seaman
Dr. Wincop	Mr. Goodwin	Mr. Chambers
Mr. Ley	Mr. Nye	Mr. Corbet
Dr. Gouge	Mr. Greenhill	Mr. Dury
Mr. Walker	Mr. Valentine	Mr. Salway
Mr. Sedgwick	Mr. Price	Mr. Hardwicke
Mr. Marshal	Dr. Smith	Mr. Langley
Mr. Whitaker	Dr. Staunton	Mr. Simpson
Mr. Newcomen	Dr. Hoyle	Mr. Conant
Mr. Spurstow	Mr. Bayly	Mr. De la March
Mr. Delmy	Mr. Taylor	Mr. Byfield
Mr. Calamy	Mr. Young	Mr. Herle
Mr. Proffet	Mr. Cawdrey	Mr. De la Place
Mr. Perne	Mr. Ash	Mr. Wilison
Mr. Scuddir	Mr. Gibson	Mr. Reyner
Mr. Carter, sen.	Mr. Good	Mr. Gower.
Mr. Caryl		

The divine who entered his dissent was Mr. *Lightfoot*, with whom Mr. Colman would have joined, if he had not fallen sick at this juncture, and died.

The discussing the remaining questions engaged the assembly from May till the latter end of July, and even then they thought it not safe to present their determinations to

parliament for fear of a premunire; upon which the city-divines at Sion-college took up the controversy, in a treatise entitled, "The divine right of church-government," by the London ministers. Wherein they give a distinct answer to the several queries of the house of commons, and undertake to prove every branch of the presbyterial discipline to be *jure divino*, and that the civil magistrate had no right to intermeddle with the censures of the church.

And to shew the parliament they were in earnest, they resolved to stand by each other, and not comply with the present establishment, till it was delivered from the yoke of the civil magistrate; for which purpose they drew up a paper of reasons, and presented it to the lord-mayor, who, having advised with the common council, sent a deputation to Sion-college, offering to concur in a petition for redress, which they did accordingly, though without effect; for the parliament, taking notice of the combination of the city-ministers, published an order June 9, requiring those of the province of London to observe the ordinance relating to church-government, enjoining the members for the city to send copies thereof to their several parishes, and to take effectual care that they were immediately put in execution. Upon this the ministers of London and Westminster met again at Sion-college June 19, and being a little more submissive, published certain considerations and cautions, according to which they agree to put the presbyterial government in practice according to the present establishment. Here they declare, "that the power of church-censures ought to be in church-officers, by the will and appointment of Jesus Christ, but then they are pleased to admit, that the magistracy ought to be satisfied in the truth of the government they authorize; and though it be not right in every particular, yet church-officers may act under that rule, provided they do not acknowledge the rule to be right in all points. Therefore though they conceive the ordinances of parliament already published, are not a complete rule, nor in all points satisfactory to their consciences, yet because in many things they are so, and provision being made to enable the elderships, by their authority, to keep away from the Lord's supper all ignorant and scandalous persons; and a farther declaration being made, that there shall be an

addition to the scandalous offences formerly enumerated, therefore they conceive it their duty to put in practice the present settlement, as far as they conceive it correspondent with the word of God; hoping that the parliament will in due time supply what is lacking, to make the government entire, and rectify what shall appear to be amiss." Thus reluctantly did these gentlemen bend to the authority of the parliament!

The kingdom of England, instead of so many diocesses, was now divided into a certain number of provinces, made up of representatives from the several classes within their respective boundaries; every parish had a congregational or parochial presbytery for the affairs of the parish; the parochial presbyteries were combined into classes; these returned representatives to the provincial assembly, as the provincial did to the national; for example, the province of London being composed of twelve classes, according to the following division, each classis chose two ministers, and four lay-elders, to represent them in a provincial assembly, which received general appeals from the parochial and classical presbyteries, as the national assembly did from the provincial.

The division of the province of London.

The first classis to contain the following parishes.

1 Allhallows, Bread-st.
2 Andrew's Wardrobe
3 Bennet, Paul's Wharf
4 Faith's
5 St. Gregory
6 St. John Evangelist
7 Margaret Moses
8 St. Martin, Ludgate
9 St. Anne, Blackfriars
10 St. Austin's
11 St. Mary Aldermary
12 St. Mary le Bow
13 St. Matthew, Friday-st.
14 Mildred, Bread-street, St. Paul's
15 St. Peter's, Paul's Wharf.

The second classis.

1 St. Antholine
2 Bennet Sheerhog
3 St. James, Garlickhithe
4 St. John Baptist
5 Martin the Vintry
6 St. Mary Magdalene, Old Fish-street
7 St. Mary Somerset
8 St. Mary Mounthaw
9 St. Michael, Queenhithe
10 St. Michael Royal
11 St. Nicholas, Old Abby
12 St. Nicholas Olives
13 Pancras, Soper's-lane
14 St. Thomas Apostle
15. Trinity.

The third classis.

1 Allhallows the greater
2 Allhallows the less
3 Allhallows, Lombard-st.
4 St. Edmund, Lombard-street
5 Lawrence Pountney
6 St. Mary Abchurch
7 St. Mary Bothaw
8 St. Mary Woolchurch
9 St. Mary Woolnoth
10 St. Nicholas Aaron
11 St. Stephen's, Walbrook
12 St. Swithin's.

The fourth classis.

1 St. Andrews Hubbert
2 St. Bennet, Grace-church
3 St. Botolph, Billings-gate
4 St. Clement, East-cheap
5 Dionis Back-church
6 St. George, Botolph-lane
7 St. Leonard, East-cheap
8 St. Magnus
9 St. Margaret, New Fish-street
10 St. Martin Orgars
11 St. Mary Hill
12 St. Michael, Crooked-lane
13 St. Michael, Cornhill
14 St. Peter, Cornhill.

The fifth classis.

1 St. Anne, Aldersgate
2 St. Botolph, Aldersgate
3 St. Bride's
4 Bridewell
5 Christ-church
6 St. John Zachary
7 St. Leonard, Foster-lane
8 St. Mary Staynings
9 St. Michael in the Corn, vulgo in the Querne
10 St. Olave, Silver-street
11 St. Peter, Cheap
12 St. Foster, alias Vedast.

The sixth classis.

1 St. Alban, Wood-street
2 Allhallows, Honey-lane
3 St. Alphage
4 St. Giles, Cripplegate
5 St. James's chapel
6 St. Lawrence, Jewry
7 St. Martin, Ironmonger-lane
8 St. Mary, Aldermanbury
9 St. Mary Magdalen, Milk-street
10 St. Mary Colechurch
11 St. Michael, Wood-st.
12 St. Mildred, Poultry
13 St. Olave, Jewry.

The seventh classis.

1 Allhallows in the Wall
2 St. Bartholomew, Exchange
3 St. Bennet Finck
4 St. Botolph, Bishopsgate
5 St. Christopher's
6 St. Margaret, Lothbury
7 St. Michael, Bassishaw
8 St. Peter Poor
9 St. Stephen, Coleman-street.

The eighth classis.

1 St. Andrew Undershaft
2 St. Botolph, Aldgate
3 St. Ethelburga
4 St. John, Hackney
5 St. Helen's
6 St. James, Duke-place
7 St. Katherine, Creechurch
8 St. Leonard, Shoreditch
9 St. Martin, Outwich
10 St. Mary, Stoke-Newington.

The ninth classis.

1 Allhallows Barking
2 Allhallows Steyning
3 St. Dunstan in the East
4 St. Gabriel, Fenchurch
5 St. Katherine, Coleman
6 St. Katherine, Tower
7 St. Margaret Pattoons
8 St. Olive, Hart-street
9 St. Peter in the Tower
10 Stepney
11 Trinity, Minories
12 Wapping
13 Whitechapel.

The tenth classis.

1 St. George, Southwark
2 Lambeth
3 St. Mary Magdalen, Bermondsey
4 St. Mary Overies
5 Newington Butts
6 St. Olave, Southwark
7 Rotherhithe
8 St. Thomas's Hospital
9 St. Thomas's, Southwark.

The eleventh classis.

1 St. Clement Danes
2 St. Giles in the Fields
3 Knightsbridge
4 St. Margaret, Westminster
5 St. Martin in the Fields
6 New Church
7 St. Peter, Westminster
8 St. Paul, Covent-garden

The twelfth classis.

1 St. Andrew, Holborn	4 Charterhouse	7 St. Mary, Islington
2 St. Bartholomew the greater	5 St. Dunstan in the West	8 St. Sepulchre's.
3 St. Bartholomew the less	6 St. James's, Clerkenwell	

Thus the Presbyterian ecclesiastical government began to appear in its proper form; but new obstructions being raised by the ministers to the choice of representatives, the provincial assembly did not meet till next year, nor did it ever obtain except in London and Lancashire. The parliament never heartily approved it, and the interest that supported it being quickly disabled, Mr. Echard says, the Presbyterians never saw their dear presbytery settled in any one part of England.* But Mr. Baxter, who is a much better authority, says, the ordinance was executed in London and Lancashire, though it remained unexecuted in almost all other parts. However, the Presbyterian ministers had their voluntary associations for church-affairs in most counties, though without any authoritative jurisdiction.

To return to the king, who marched with the Scots army from Newark to Newcastle, where he continued about eight months, being treated with some respect, but not with all the duty of subjects to a sovereign. The first sermon that was preached before him gave hopes,† that they would be mediators between him and the parliament; it was from 2 Sam. xix. 41—43, "And behold, all the men of Israel came to the king, and said to the king, Why have the men of Judah stolen thee away?—And all the men of Judah answered the men of Israel, Because the king is near of kin to us; wherefore then be ye angry for this matter? have we eaten at all of the king's cost? or hath he given us any gift?—And the men of Israel answered the men of Judah, and said, We have ten parts in the king; and we have also

* Echard, p. 634.

† Mr. Whitelocke informs us, Memorials, p. 234, "that a Scotch minister preached boldly before the king, December 16, 1646, at Newcastle," and after his sermon called for the fifty-second psalm, which begins,

"Why dost thou, tyrant, boast thyself,
"Thy wicked works to praise?"

His majesty thereupon stood up, and called for the fifty-sixth Psalm, which begins,

"Have mercy, Lord, on me, I pray,
"For men would me devour."

The people waived the minister's psalm, and sung that which the king called for."—Ed.

more right in David than ye; why then did ye despise us, that our advice should not be first had, in bringing back our king? And the words of the men of Judah were fiercer than the words of the men of Israel." But it quickly appeared, that nothing would be done except upon condition of the king's taking the covenant, and establishing the presbyterial government in both kingdoms. When the king was pressed upon these heads, he pleaded his conscience, and declared that though he was content the Scots should enjoy their own discipline, he apprehended his honour and conscience were concerned to support episcopacy in England, because it had been established from the Reformation, and that he was bound to uphold it by his coronation-oath; however, he was willing to enter into a conference with any person whom they should appoint, protesting he was not ashamed to change his judgment, or alter his resolution, provided they could satisfy him in two points.

1st. That the episcopacy he contended for was not of divine institution.——2dly. That his coronation-oath did not bind him to support and defend the church of England as it was then established.

To satisfy the king in these points the Scots sent for Mr. Alexander Henderson from Edinburgh, pastor of a church in that city, rector of the university, and one of the king's chaplains, a divine of great learning and abilities, as well as discretion and prudence. Mr. Rushworth says, that he had more moderation than most of his way. And Collyer adds, that he was a person of learning, elocution, and judgment, and seems to have been the top of his party.* The debate was managed in writing: the king drew up his own papers, and gave them sir Robert Murray to transcribe, and deliver to Mr. Henderson;† and Mr. Henderson's hand not being so legible as his, sir Robert, by the king's appointment, transcribed Mr. Henderson's papers for his majesty's use.‡

* Collyer, p. 848. † Duke of Hamilton's Memoirs, p. 277.

‡ Dr. Grey blames Mr. Neal here for omitting bishop Burnet's account of the king's superiority in this controversy. "Had his majesty's arms (says the bishop) been as strong as his reason was, he had been every way unconquerable, since none have the disingenuity to deny the great advantage his majesty had in all these writings: and this was when the help of his chaplains could not be suspected, they being so far from him; and that the king drew with his own hand all his papers without the help of any, is averred by the person who alone was privy to the interchanging of them, that worthy and accomplished gentleman Robert Murray." The bishop's opinion may be justly admitted, as a testimony to the ability with which the king handled the question: and yet some allowance should be made for the bias with

The king, in his first paper of May 29, declares his esteem for the English reformation, because it was effected without tumult; and was directed by those who ought to have the conduct of such an affair.* He apprehends they kept close to apostolical appointment, and the universal custom of the primitive church; that therefore the adhering to episcopacy must be of the last importance, as without it the priesthood must sink, and the sacraments be administered without effect; for these reasons he conceives episcopacy necessary to the being of a church, and also, that he is bound to support it by his coronation-oath. Lastly, his majesty desires to know of Mr. Henderson, what warrant there is in the word of God for subjects to endeavour to force their king's conscience, or to make him alter laws against his will.

Mr. Henderson, in his first paper of June 3, after an introduction of modesty and respect, wishes when occasion requires, that religion might always be reformed by the civil magistrate, and not left either to the prelates or the people; but when princes or magistrates are negligent of their duty, God may stir up the subject to perform this work.† He observes, that the reformation of king Henry VIII. was very defective in the essentials of doctrine, worship, and government; that it proceeded with a Laodicean lukewarmness; that the supremacy was transferred from one wrong head to another, and the limbs of the antichristian hierarchy were visible in the body. He adds, that the imperfection of the English reformation had been the complaint of many religious and godly persons; that it had occasioned more schism and separation than had been heard of elsewhere, and had been matter of unspeakable grief to other churches. As to the king's argument, that the validity of the priesthood, and the efficacy of the sacraments, depended upon episcopacy, he replies, that episcopacy cannot make out its claim to apostolical appointment; that when the apostles were living, there was no difference between a bishop and a presbyter; no inequality in power or degree, but an exact parity in every branch of their character: that there is no mention in Scripture of a pastor or bishop superior to other

which this prelate would naturally review arguments in favour of his own sentiments and rank.—Ed.

* Bibl. Reg. p. 296. † Ibid. p. 312, &c.

pastors. There is a beautiful subordination in the ministry of the New Testament; one kind of ministers being placed in degree and dignity above another, as first apostles, then evangelists, then pastors and teachers, but in offices of the same rank and kind we do not find any preference; no apostle is constituted superior to other apostles; no evangelist is raised above other evangelists; nor has any pastor or deacon a superiority above others of their order.

Farther, Mr. Henderson humbly desires his majesty to take notice, that arguing from the practice of the primitive church, and the consent of the fathers, is fallacious and uncertain, and that the law and testimony of the word of God are the only rule. The practice of the primitive church, in many things, cannot certainly be known, as Eusebius confesses, that even in the apostles' time Diotrephes moved for the pre-eminence, and the mystery of iniquity began to work; and that afterward ambition and weakness quickly made way for a change in church-government.

Mr. Henderson hopes his majesty will not deny the lawfulness of the ministry, and due administration of the sacraments, in those reformed churches where there are no diocesan bishops; that it is evident from Scripture, and confessed by many champions for episcopacy, that presbyters may ordain presbyters; and to disengage his majesty from his coronation-oath, as far as relates to the church, he conceives, when the formal reason of an oath ceases, the obligation is discharged: when an oath has a special regard to the benefit of those to whom the engagement is made, if the parties interested relax upon the point, dispense with the promise, and give up their advantage, the obligation is at an end. Thus when the parliaments of both kingdoms have agreed to the repealing of a law, the king's conscience is not tied against signing the bill, for then the altering any law would be impracticable.—He concludes with observing, that king James never admitted episcopacy upon divine right; and that could his ghost now speak, he would not advise your majesty to run such hazards, for men [prelates] who would pull down your throne with their own, rather than that they perish alone.

The king, in his second paper* of June 6, avers, no reformation is lawful, unless under the conduct of the royal au-

* Bib. Reg. p. 320. 322, &c.

thority; that king Henry VIII.'s reformation being imperfect, is no proof of defects in that of king Edward VI. and queen Elizabeth; that Mr. Henderson can never prove, God has given the multitude leave to reform the negligence of princes; that his comparing our reformation to the Laodicean lukewarmness, was an unhandsome way of begging the question, for he should have first made out, that those men [the Puritans] had reason to complain, and that the schism was chargeable upon the conformists. His majesty is so far from allowing the Presbyterian government to be practised in the primitive times, that he affirms, it was never set up before Calvin; and admits, that it was his province to shew the lawfulness, and uninterrupted succession, and by consequence the necessity, of episcopacy, but that he had not then the convenience of books, nor the assistance of such learned men as he could trust, and therefore proposes a conference with his divines. And whereas Mr. Henderson excepts to his reasoning from the primitive church, and consent of the fathers; his majesty conceives his exception indefensible, for if the sense of a doubtful place of Scripture is not to be governed by such an authority, the interpretation of the inspired writings must be left to the direction of every private spirit, which is contrary to St. Peter's doctrine, 2 Pet. i. 20, "No prophecy of Scripture is of private interpretation;" it is likewise the source of all sects, and without prevention will bring these kingdoms into confusion. His majesty adds, that it is Mr. Henderson's part to prove, that presbyters without a bishop may ordain other presbyters. As to the administration of the sacraments, Mr. Henderson himself will not deny, a lawfully-ordained presbyter's being necessary to that office; so that the determination of this latter question will depend in some measure on the former. With regard to oaths, his majesty allows Mr. Henderson's general rule, but thinks he is mistaken in the application; for the clause touching religion in the coronation-oath was made only for the benefit of the church of England; that therefore it is not in the power of the two houses of parliament to discharge the obligation of this oath, without their consent. That this church never made any submission to the two houses, nor owned herself subordinate to them; that the reformation was managed by the king and clergy, and the parliament assisted only in giving a

civil sanction to the ecclesiastical establishment.—These points being clear to his majesty, it follows by necessary consequence, that it is only the church of England, in whose favour he took this oath, that can release him from it, and that therefore, when the church of England, lawfully assembled, shall declare his majesty discharged, he shall then, and not till then, reckon himself at liberty.*

Mr. Henderson, in his reply to this second paper of June 17, agrees with the king, that the prime reforming power is in kings and princes, but adds, that in case they fail of their duty, this authority devolves upon the inferior magistrate, and upon their failure, to the body of the people upon supposition that a reformation is necessary, and that people's superiors will by no means give way to it; he allows that such a reformation is more imperfect with respect to the manner, but commonly more perfect and refined in the product and issue. He adds, that the government of the church of England is not supposed to be built on the foundation of Christ and his apostles, by those who confess that church-government is mutable and ambulatory, as was formerly the opinion of most of the English bishops; that the divine right was not pleaded till of late by some few; that the English reformation has not perfectly purged out the Roman leaven, but rather depraved the discipline of the church by conforming to the civil polity, and adding many supplemental officers to those instituted by the Son of God. To his majesty's objections, that the Presbyterian government was never practised before Calvin's time, he answers, that it is to be found in Scripture; and the assembly of divines at Westminster had made it evident, that the primitive church at Jerusalem was governed by a presbytery; that the church at Jerusalem consisted of more congregations than one; that all these congregations were combined under one presbyterial government, and made but one church; that this church was governed by elders of the same body, and met together for functions of authority, and that the apostles acted not in quality of apostles, but only as elders, Acts xv.; that the same government was settled in the churches of Ephesus, Corinth, Thessalonica, and continued many years after; and at last, when one of the presbytery presided over the rest with the style of bishop,

* Bib. Reg. p. 325.

even then, as St. Jerome says, churches were governed with the joint consent of the presbytery, and it was custom, rather than divine appointment, which raised a bishop above a presbyter. To his majesty's argument, that where the meaning of Scripture is doubtful, we must have recourse to the fathers, Mr. Henderson replies, that notwithstanding the decrees of councils, and the resolutions of the fathers, a liberty must be left for a judgment of discretion, as had been sufficiently shewn by bishop Davenant and others. To prove presbyters may ordain other presbyters without a bishop, he cites St. Paul's advice to Timothy, 1 Tim. iv. 14, not to neglect the gift that was given him by the laying on of the hands of the presbytery; but granting bishops and presbyters to be distinct functions, it will not follow, that the authority and force of the presbyter's character were derived from the bishop; for though the evangelists and seventy disciples were inferior to the apostles, they received not their commission from the apostles, but from Christ himself.

Concerning the king's coronation-oath, Mr. Henderson apprehends nothing need be added. As to the supremacy, he thinks such a headship as the kings of England claim, or such a one as the two houses of parliament now insist on, that is, an authority to receive appeals from the supreme ecclesiastical judicatures, in things purely spiritual, is not to be justified; nor does he apprehend the consent of the clergy to be absolutely necessary to church-reformation, for if so, what reformation can be expected in France, in Spain, or in Rome itself: it is not to be imagined, that the pope or prelates will consent to their own ruin. His majesty had said, that if his father king James had been consulted upon the question of resistance, he would have answered, that prayers and tears are the church's weapons. To which Mr. Henderson replies, that he could never hear a good reason to prove a necessary defensive war, a war against unjust violence, unlawful; and that bishop Jewel and Bilson were of this mind. To the question, what warrant there was in Scripture for subjects to endeavour to force their king's conscience? he replies, that when a man's conscience is mistaken, it lies under a necessity of doing amiss; the way therefore to disentangle himself is to get his conscience

better informed, and not to move till he has struck a light and made farther discoveries.*

The king, in his answer of June 22 to Mr. Henderson's second paper, still insists, that inferior magistrates and people have no authority to reform religion. If this point can be proved by Scripture, his majesty is ready to submit; but the sacred history in the Book of Numbers, chap. xvi. is an evidence of God's disapproving such methods. Private men's opinions disjoined from the general consent of the church signify little, for rebels, says his majesty, never want writers to maintain their revolt. Though his majesty has a regard for bishop Jewel and Bilson's memories, he never thought them infallible; as for episcopal government, he is ready to prove it an apostolical institution, and that it has been handed down through all ages and countries till Calvin's time, as soon as he is furnished with books, or such divines as he shall make choice of; he does not think that Mr. Henderson's arguments to prove the church of England not built on the foundation of Christ and his apostles are valid, nor will he admit that most of the prelates, about the time of the Reformation, did not insist upon the divine right. The king adds, Mr. Henderson would do well to shew where our Saviour has prohibited the addition of more church-officers than those named by him: and yet the church of England has not so much as offered at this, for an archbishop is not a new officer, but only a distinction in the order of government, like the moderator of assemblies in Scotland. His majesty denies that bishops and presbyters always import the same thing in Scripture, and when they do, it only respects the apostles' times, for it may be proved, that the order of bishops succeeded that of the apostles, and that the title was altered in regard to those who were immediately chosen by our Saviour. As for the several congregations in Jerusalem, united in one church, his majesty replies, Are there not many parishes in one diocess? And do not the deans and chapters, and sometimes the inferior clergy, assist the bishop? So that unless some positive and direct proof can be brought of an equality between the apostles and other presbyters, all arguments are with him inconclusive. The king confesses, that in case he cannot prove from antiquity that ordination and jurisdiction are

* Bib. Reg. p. 357, &c.

peculiar branches of authority belonging to bishops, he shall begin to suspect the truth of his principles. As for bishop Davenant's testimony, he refuses to be governed by that; nor will he admit of Mr. Henderson's exception against the fathers, till he can find out a better rule of interpreting Scripture. And whereas Mr. Henderson urged the precedent of foreign reformed churches in favour of presbytery, his majesty does not undertake to censure them, but supposes necessity may excuse many things which would otherwise be unlawful; the church of England, in his majesty's judgment, has this advantage, that it comes nearest the primitive doctrine and discipline; and that Mr. Henderson has failed in proving presbyters may ordain without a bishop, for it is evident St. Paul had a share in Timothy's ordination, 2 Tim. i. 6. As to the obligation of the coronation-oath, the king is still of opinion, none but the representative body of the clergy can absolve him; and as for the impracticableness of reformation upon the king's principles, he cannot answer for that, but thinks it sufficient to let him know, that *incommodum non solvit argumentum*. His majesty then declares, that as it is a great sin for a prince to oppress the church; so on the other hand, he holds it absolutely unlawful for subjects to make war (though defensively) against their lawful sovereign, upon any pretence whatsoever.

Mr. Henderson, in his third paper of July 2, considers chiefly the rules his majesty had laid down for determining the controversy of church-government, which are the practice of the primitive church, and the universal consent of the fathers; and affirms, there is no such primitive testimony, no such universal consent in favour of modern episcopacy; the fathers very often contradicting one another, or at least not concurring in their testimony. But to shew the uncertainty of his majesty's rule for determining controversies of faith, Mr. Henderson observes,

1. That some critics join the word of God and antiquity together; others make Scripture the only rule, and antiquity the authentic interpreter. Now he thinks the latter a greater mistake than the former, for the Papists bring tradition no farther than to an equality of regard with the inspired writings, but the others make antiquity the very ground of their belief of the sense of Scripture, and by that means exalt it

above the Scripture; for the interpretation of the fathers is made the very formal reason why I believe the Scripture interpretable in such a sense; and thus, contrary to the apostle's doctrine,—our faith must stand in the wisdom of man, and not in the power of God.

2. He observes, that Scripture can only be authentically interpreted by Scripture itself. Thus the Levites had recourse only to one part of Scripture for the interpreting another, Neh. viii. 8. So likewise our Saviour interprets the Old Testament, by comparing scripture with scripture, and not having recourse to the rabbies. This was likewise the apostle's method. Besides, when persons insist so much upon the necessity of the fathers, they are in danger of charging the Scriptures with obscurity or imperfection.

3. The fathers themselves say, that Scripture is not to be interpreted but by Scripture.

4. Many errors have passed under the shelter of antiquity and tradition; Mr. Henderson cites a great many examples under this head.

And lastly, He insists, that the universal consent and practice of the primitive church are impossible to be known; that many of the fathers were no authors; that many of their tracts are lost; that many performances which go under their names are spurious, especially upon the subject of episcopacy, and that therefore they are an uncertain rule.

The king, in his papers* of July 3 and 16, says, no man can reverence Scripture more than himself; but when Mr. Henderson and he differ about the interpretation of a text, there must be some judge or umpire, otherwise the dispute can never be ended; and when there are no parallel texts, the surest guide must be the fathers. In answer to Mr. Henderson's particulars, his majesty answers, that if some people overrule tradition, that can be no argument against the serviceableness of it; but to charge the primitive church

* *Bibl. Reg.* p. 351—353.

In addition to the encomium bestowed by bishop Burnet on the king's papers, which we have already quoted, it may be subjoined, that sir Philip Warwick also extolled them, as shewing his majesty's "great ability and knowledge, when he was destitute of all aids." Yet it is remarkable, as observes Dr. Harris, who had turned over Stillingfleet's Irenicum, and Unreasonableness of Separation, Hoadley's Defence of Episcopal Ordination, and many other volumes, these royal "papers have been little read, and are seldom or never quoted on the subject of episcopacy." So that it is "possible, these learned churchmen had not so great an opinion of the arguments made use of by Charles in these papers, as the historians (viz. Burnet and sir P. Warwick) I have quoted." Life of Charles I. p. 101.—Ed.

with error, and to call the customs and practices of it unlawful, unless the charge can be supported from Scripture, is an unpardonable presumption. Those who object to the ancient rites and usages of the church must prove them unlawful, otherwise the practice of the church is sufficient to warrant them. His majesty denies it is impossible to discover the universal consent, and understand the practice, of the primitive church; and concludes with this maxim, that though he never esteemed any authority equal to the Scriptures, yet he believes the unanimous consent of the fathers, and the universal practice of the primitive church, the best and most authentic interpreters, and by consequence the best qualified judges between himself and Mr. Henderson.

One may learn, from this controversy, some of the principles in which king Charles I. was instructed; as,

(1.) The divine right of diocesan episcopacy.

(2.) The uninterrupted succession of bishops, rightly ordained, from the time of the apostles; upon which the whole validity of the administration of the Christian sacraments depends.

(3.) The necessity of a judge of controversies, which his majesty lodges with the fathers of the Christian church, and by that means leaves little or no room for private judgment.

(4.) The independency of the church upon the state.

(5.) That no reformation of religion is lawful but what arises from the prince or legislature; and this only in cases of necessity, when a general council cannot be obtained.

(6.) That the multitude or common people may not in any case take upon them to reform the negligence of princes. Neither,

(7.) May they take up arms against their prince, even for self-defence, in cases of extreme necessity?

How far these principles are defensible in themselves, or consistent with the English constitution, I leave with the reader; but it is very surprising that his majesty should be so much entangled with that part of his coronation-oath which relates to the church, when for fifteen years together he broke through all the bounds of it with relation to the civil liberties of his subjects, without the least remorse.

Upon the close of this debate, and the death of Mr.

Henderson, which followed within six weeks; the king's friends gave out, that his majesty had broke his adversary's heart.* Bishop Kennet and Mr. Echard have published the following recantation, which they would have the world believe this divine dictated, or signed upon his death-bed:

"I do declare before God and the world, that since I had the honour and happiness to converse and confer with his majesty with all sorts of freedom, especially in matters of religion, whether in relation to the kirk or state, that I found him the most intelligent man that I ever spoke with, as far beyond my expression as expectation. I profess, that I was oftentimes astonished with the solidity and quickness of his reasons and replies; and wondered how he, spending his time so much in sports and recreations, could have attained to so great knowledge; and must confess ingenuously, that I was convinced in conscience, and knew not how to give him any reasonable satisfaction; yet the sweetness of his disposition is such, that whatsoever I said was well taken. I must say, I never met with any disputant of that mild and calm temper, which convinced me the more, and made me think, that such wisdom and moderation could not be, without an extraordinary measure of divine grace. I had heard much of his carriage towards the priests in Spain, and that king James told the duke of Buckingham, upon his going thither, that he durst venture his son Charles with all the Jesuits in the world, he knew him to be so well grounded in the Protestant religion, but could never believe it before. I observed all his actions, more particularly those of devotion, which I must truly say are more than ordinary,—If I should speak of his justice, magnanimity, charity, sobriety, chastity, patience, humility, and of all his other Christian and moral virtues, I should run myself into a panegyric; no man can say, there is conspicuously any predominant vice in him; never man saw him passionately angry; never man heard him curse, or given to swearing; or heard him complain in the greatest durance of war, or

* This effect was ascribed to his majesty's arguments by bishop Kennet and lord Clarendon; who certainly were a little too hasty in this judgment. For, as it is well observed by Dr. Harris, "disputants, veteran ones, as Henderson was, have generally too good a conceit of their own abilities, to think themselves overcome; and though the awe of majesty may silence, it seldom persuades them." The Life of Charles I. p. 99, 100. Some said, Mr. Henderson died of grief, because he could not persuade the king to sign the propositions. Whitelocke's Memorials, p. 225. —Ed.

confinement.—But I should seem to flatter him, to such as do not know him, if the present condition that I lie in, did not exempt me from any suspicion of worldly ends, when I expect every hour to be called from all transitory vanities to eternal felicity, and the discharging of my conscience before God and man, did not oblige me to declare the truth simply and nakedly, in satisfaction of that which I have done ignorantly, though not altogether innocently."* The declaration adds, that he was heartily sorry for the share he had had in the war; that the parliament and synod of England had been abused with false aspersions of his majesty; and that they ought to restore him to his just rights, and his crown and dignity, lest an indelible character of ingratitude lie upon him.

Mr. Echard confesses† he had been informed, that this declaration was spurious,‡ but could find no authority sufficient to support such an assertion. It will be proper therefore to trace the history of this imposture, and set it in a clear and convincing light, from a memorial sent me from one of the principal Scots divines, professor Hamilton of Edinburgh. The story was invented by one of the Scots episcopal writers, who had fled to London, and was first published in the beginning of the year 1648, in a small pamphlet in quarto, about two years after Mr. Henderson's death. From this pamphlet Dr. Heylin published it as a credible report. Between thirty and forty years after Heylin had published it, viz. 1693, Dr. Hollingworth in his character of king Charles I. republished the paper above mentioned, entitled "The declaration of Mr. Alexander Hen-

* Compl. Hist. p. 190. Bennet's Def. of his Mem. p. 130.

† Echard, p. 526, ed. 3d.

‡ Dr. Grey sneers here at Mr. Neal, for not referring to the place, where Mr. Echard makes this confession; and for keeping out of view the name of the memorialist on whose authority he speaks. He then spends nearly five pages in cavilling at this authority, and in strictures on that of Mr. Burnet; through these I am not properly qualified to follow the doctor, as I have not Mr. Bennet's Defence of his Memorial: and it is unnecessary, for the question concerning the spuriousness of this piece had been discussed, in 1693, ere Neal or Burnet had written, by lieutenant-general Ludlow, in a tract against Dr. Hollingworth, entitled, "Truth brought to light." Ludlow argues against its authenticity on these grounds: that archbishop Lamplugh, the great advocate for the king, had it not been a forgery, would not have failed to publish it: that it is not found in king Charles's works, though all that passed between the king and Mr. Henderson is there recited: that Mr. Henderson was a Scotchman, whereas the words, style, and matter, are plainly and elegantly English, and not Scottish: but the great stress is laid on the inscription on his monument, and on the assembly's declaration, to which Mr. Neal refers, and which Dr. Grey treats as spurious. These papers, as Ludlow's tract is scarce, shall be given in the Appendix, no. 10.—Ed.

derson, principal minister of the word of God at Edinburgh, and chief commissioner of the kirk of Scotland to the parliament and synod of England;" which paper the doctor says he had from Mr. Lamplugh, son to the late archbishop of York of that name, from whom the historians above mentioned, and some others, have copied it; but, says the memorial, upon publishing the aforesaid story to the world, the assembly of the kirk of Scotland appointed a committee to examine into the affair, who, after a full inquiry, by their act of August 7, 1648, declared the whole to be a forgery, as may be seen in the printed acts of the general assembly for that year, quarto, page 420, &c. in which they signify their satisfaction and assurance, that Mr. Henderson persisted in his former sentiments to his death;* that when he left the king at Newcastle he was greatly decayed in his natural strength; that he came from thence by sea in a languishing condition, and died within eight days after his arrival at Edinburgh;† that he was not able to frame such a declaration as is palmed upon him; and that all he spoke upon his death-bed shewed his judgment was the same as it ever had been about church-reformation. This was attested before the assembly by several ministers who visited him upon his death-bed, and particularly by two who constantly attended him from the time he came home till the time he expired. After this and a great deal more to the same purpose, "they declare the above-mentioned paper, entitled 'A declaration of Mr. Alexander Henderson's,' &c. to be forged, scandalous, and false,‡ and the author and contriver of the same to be void of charity and a good conscience; a gross liar and a calumniator, and led by the spirit of the accuser of the brethren."§

While the king was debating the cause of episcopacy, the parliament were preparing their propositions for a peace, which were ready for the royal assent by the 11th of July. The Scots commissioners demurred to them for some time, not coming up fully to their standard, but at length acquiescing, they were engrossed, and carried to the king by the earl of Pembroke and Montgomery and the earl of Suf-

* Appendix, no. 10. † Hist. of Stuarts, p. 310.

‡ If this character of Charles, ascribed to Mr. Henderson, were genuine, "it would (as Ludlow observes) avail very little; being the single sentiment of a stranger, that could not have had much experience of him." Truth brought to Light, p. 6.—Ed.

§ Vide Bennet's Def. of his Mem. p. 134.

folk, of the house of peers; and by sir Walter Erle, sir John Hippisly, Robert Goodwin, and Luke Robertson, esq. of the house of commons; earls of Argyle and Loudon were commissioners for Scotland, and the reverend Mr. Marshal was ordered to attend as their chaplain.* The commissioners arrived at Newcastle July 23, next day they waited upon his majesty, and having kissed his hand, Mr. Goodwin delivered the following propositions.

Those relating to the civil government were,

(1.) That the king should call in all his declarations against the parliament.

(2.) That he should put the militia into their hands for twenty years, with a power to raise money for their maintenance.

(3.) That all peerages since May 21, 1642, should be made void.

(4.) That the delinquents therein mentioned should undergo the penalties assigned in the bill. And,

(5.) That the cessation with the Irish be disannulled, and the management of the war left to the parliament.

The propositions relating to religion were,

1. "That his majesty, according to the laudable example of his father, would be pleased to swear and sign the late solemn league and covenant, and give his consent to an act of parliament, enjoining the taking it throughout the three kingdoms, under certain penalties, to be agreed upon in parliament.

2. "That a bill be passed for the utter abolishing and taking away all archbishops, bishops, their chancellors, commissaries, deans, sub-deans, deans and chapters, archdeacons, canons and prebendaries, and all chanters, chancellors, treasurers, sub-treasurers, succentors, sacrists, and all vicars and choristers, old vicars, and new vicars of any cathedral or collegiate church, and all other under-officers, out of the church of England, and out of the church of Ireland, with such alterations as shall agree with the articles of the late treaty of Edinburgh, November 29, 1643, and the joint declaration of both kingdoms.

3. "That the ordinance for the calling and sitting of the assembly of divines be confirmed.

4. "That reformation of religion, according to the cove-

* Rushworth, vol. 6. p. 309. 311. Rapin, vol. 2. p. 524, fol. edit.

nant, be settled by act of parliament in such manner as both houses have agreed, or shall agree, after consultation with the assembly of divines.

5. "Forasmuch as both kingdoms are obliged by covenant to endeavour such a uniformity of religion as shall be agreed upon by both houses of parliament in England, and by the church and kingdom of Scotland, after consultation had with the divines of both kingdoms assembled, that this be confirmed by acts of parliament of both kingdoms respectively.

6. "That for the more effectual disabling Jesuits, priests, Papists, and Popish recusants, from disturbing the state, and eluding the laws, an oath be established by act of parliament, wherein they shall abjure and renounce the pope's supremacy, the doctrine of transubstantiation, purgatory, worshipping of the consecrated host, crucifixes, and images, and all other Popish superstitions and errors; and the refusal of the said oath, legally tendered, shall be a sufficient conviction of recusancy.

7. "That an act of parliament be passed, for educating of the children of Papists by Protestants, in the Protestant religion.

8. "That an act be passed for the better levying the penalties against Papists; and another for the better preventing their plotting against the state; and that a stricter course may be taken to prevent saying or hearing of mass in the court, or any other part of the kingdom: the like for Scotland, if the parliament of that kingdom shall think fit.

9. "That his majesty give his royal assent to an act for the due observation of the Lord's day; to the bill for the suppression of innovations in churches and chapels in and about the worship of God; to an act for the better advancement of the preaching of God's holy word in all parts of the kingdom; to the bill against pluralities of benefices and nonresidency; and, to an act to be framed for the reforming and regulating both universities, and the colleges of Westminster, Winchester, and Eton."

About sixty persons were by name excepted out of the general pardon;* besides,

(1.) All Papists that had been in the army.

* Remonstrance, vol. 6. p. 315.

(2.) All persons that had been concerned in the Irish rebellion.

(3.) Such as had deserted the two houses at Westminster and went to Oxford.

(4.) Such members of parliament as had deserted their places, and borne arms against the two houses. And,

(5.) Such bishops or clergymen, masters or fellows of colleges, or masters of schools or hospitals, or any ecclesiastical living, who had deserted the parliament, and adhered to the enemies thereof, were declared incapable of any preferment or employment in church or commonwealth, all their places, preferments, and promotions, were to be utterly void, as if they were naturally dead; nor might they be permitted to use their function of the ministry, without advice and consent of both houses of parliament; provided that no lapse shall incur by this vacancy till six months after notice thereof.

When Mr. Goodwin had done, the king asked the commissioners if they had power to treat, to which they replied, that they were only to receive his majesty's answer; then said the king, "Saving the honour of the business, a trumpeter might have done as well;"* the very same language as at the treaty of Oxford; but the earl of Pembroke told his majesty, they must receive his peremptory answer in ten days, or return without it.

Great intercessions were made with the king to comply with these proposals,† particularly in the point of religion, for without full satisfaction in that, nothing would please the Scots nation, nor the city of London, by whom alone his majesty could hope to be preserved; but if this was yielded they would interpose for the moderating other demands; the Scots general, at the head of one hundred officers, presented a petition upon their knees, beseeching his majesty to give them satisfaction in the point of religion, and to take the covenant. Duke Hamilton, and the rest of the Scots commissioners, pressed his majesty in the most earnest manner, to make use of the present opportunity for peace.‡ The lord-chancellor for that kingdom spoke to

* Whitelocke's Memorials, p. 223.

† The commissioners of both kingdoms on their knees begged of him to do it. Whitelocke's Memoirs, p. 223.—Ed.

‡ Hamilton's Memoirs, p. 281. 285.

this effect: "The differences between your majesty and your parliament are grown to such a height, that after many bloody battles they have your majesty, with all your garrisons and strong holds in their hands, and the whole kingdom at their disposal; they are now in a capacity to do what they will in church and state; and some are so afraid, and others so unwilling, to submit to your majesty's government, that they desire not you, nor any of your race, longer to reign over them; but they are unwilling to proceed to extremities, till they know your majesty's last resolutions.—Now, sir, if your majesty shall refuse to assent to the propositions, you will lose all your friends in the houses, and in the city, and all England will join against you as one man; they will depose you, and set up another government; they will charge us to deliver your majesty to them, and remove our armies out of England; and upon your refusal, we shall be constrained to settle religion and peace without you, which will ruin your majesty and your posterity. We own the propositions are higher in some things than we approve of, but the only way to establish your majesty's throne is to consent to them at present, and your majesty may recover, in a time of peace, all that you have lost in this time of tempest and trouble."*

This was plain-dealing: the king's best friends prayed his majesty to consider his present circumstances, and not hazard his crown for a form of church-government; or, if he had no regard to himself, to consider his royal posterity; but the king replied, his conscience was dearer to him than his crown; that till he had received better satisfaction about the divine right of episcopacy, and the obligation of his coronation-oath, no considerations should prevail with him;† he told the officers of the army, he neither could nor would take the covenant, till he had heard from the queen.‡ Which was only an excuse to gain time to divide his enemies, for the king had then actually heard from his queen by monsieur Bellievre, the French ambassador, who pressed his majesty, pursuant to positive instructions given him for that purpose, as the advice of the king of France, of the

* Rapin, vol. 2. p. 524; and Rushworth, vol. 6. p. 319.

† Duke of Hamilton's Memoirs, p. 281.

‡ This clause is not in the Memoirs of the Duke; and as Mr. Neal has not, particularly, referred to his authority for it, Dr. Grey expresses his fears, that it is an interpolation.—Ed.

queen, and of his own party, to give the Presbyterians satisfaction about the church.* Bellievre, not being able to prevail, dispatched an express to France, with a desire, that some person of more weight with the king might be sent. Upon which sir William Davenant came over, with a letter of credit from the queen, beseeching him to part with the church for his peace and security. When sir William had delivered the letter, he ventured to support it with some arguments of his own, and told his majesty, in a most humble manner, that it was the advice of lord Culpeper, Jermyn, and of all his friends; upon which the king was so transported with indignation, that he forbid him his presence. When therefore the ten days for considering the propositions were expired, instead of consenting, his majesty gave the commissioners his answer in a paper, directed to the speaker of the house of peers, to this effect, "that the propositions contained so great alterations both in church and state, that his majesty could not give a particular and positive answer to them;" but, after some few concessions hereafter to be mentioned, "he proposes to come to London, or any of his houses thereabouts, and enter upon a personal treaty with both houses; and he conjures them, as Christians and subjects, and as men that desire to leave a good name behind them, to accept of this proposal, that the unhappy distracons of the nation may be peaceably settled."†

When this answer was reported to the house, August 12, it was resolved, to settle accounts with the Scots, and to receive the king into their own custody; but in the meantime his majesty attempted to bring that nation over to his interest, by playing the Independents against them, and telling them, the only way to destroy the sectarians was, to join with the episcopalians, and admit of the establishment of both religions.‡ "I do by no means persuade you (says the king) to do any thing contrary to your covenant, but I desire you to consider whether it be not a great step towards your reformation (which I take to be the chief end of your covenant), that the presbyterial government be legally settled. It is true, I desire that the liberty of my own

* Clarendon, vol. 3. p. 29. 31, 32.

† Dr. Grey gives the king's answer at length from MS. collections of Dr. Philip Williams, president of St. John's college, Cambridge.—Ed.

‡ Duke of Hamilton's Memoirs, p. 286, 287.

conscience, and those who are of the same opinion with myself, may be preserved, which I confess, does not as yet totally take away episcopal government. But then consider withal, that this will take away all the superstitious sects and heresies of the Papists and Independents, to which you are no less obliged by your covenant, than to the taking away of episcopacy. And this that I demand is likely to be but temporary; for if it be so clear as you believe, that episcopacy is unlawful, I doubt not but God will so enlighten my eyes that I shall soon perceive it, and then I promise to concur with you fully in matters of religion; but I am sure you cannot imagine, that there are any hopes of converting or silencing the Independent party, which undoubtedly will get a toleration in religion from the parliament of England, unless you join with me in that way that I have proposed for the establishing of my crown; or at least, that you do not press me to do this (which is yet against my conscience) till I may do it without sinning, which, as I am confident none of you will persuade me to do, so I hope you have so much charity as not to put things to such a desperate issue as to hazard the loss of all, because for the present you cannot have full satisfaction from me in point of religion, not considering, that besides the other mischiefs that may happen, it will infallibly set up the innumerable sects of the Independents, nothing being more against your covenant than the suffering those schisms to increase."* His majesty then added, "that he should be content to restrain episcopal government to the diocesses of Oxford, Winchester, Bath and Wells, and Exeter, leaving all the rest of England fully to the presbyterial discipline, with the strictest clauses that could be thought of in an act of parliament against the Papists and Independents." But the Scots would abate nothing in the articles of religion; even for the overthrow of the sectaries, Duke Hamilton left no methods unattempted to persuade his majesty to comply, but without effect.†

When the king could not gain the commissioners, he applied by his friends to the kirk, who laid his proposals before the general assembly, with his offer to make any declaration they should desire against the Independents, and that really, without any reserve or equivocation; but the kirk

* Rushworth, p. 328. † Duke of Hamilton's Memoirs, p. 288.

were as peremptory as the commissioners; they said, the king's heart was not with them, nor could they depend upon his promises any longer than it was not in his power to set them aside.*

In the meantime the English parliament were debating with the Scots commissioners at London, the right of disposing of the king's person, the latter claiming an equal right to him with the former; and the parliament voted that the kingdom of Scotland had no joint right to dispose of the person of the king, in the kingdom of England. To which the Scots would hardly have submitted, had it not been for fear of engaging in a new war, and losing all their arrears. His majesty would willingly have retired into Scotland, but the clergy of that nation would not receive him, as appears by their solemn warning to all estates and degrees of persons throughout the land, dated December 17, 1646, in which they say, "So long as his majesty does not approve in his heart, and seal with his hand, the league and covenant, we cannot but apprehend, that according to his former principles he will walk contrary to it, and study to draw us into the violation of it. Besides, our receiving his majesty into Scotland at this time, will confirm the suspicion of the English nation, of our underhand dealing with him before he came into our army. Nor do we see how it is consistent with our covenant and treaties, but on the contrary, it would involve us in the guilt of perjury, and expose us to the hazard of a bloody war. We are bound by our covenant to defend the king's person and authority, in the defence and preservation of the true religion, and the liberties of the kingdom, and so far as his majesty is for these we will be for him; but if his majesty will not satisfy the just desires of his people, both nations are engaged to pursue the ends thereof, against all lets and impediments; we therefore desire, that those who are intrusted with the public affairs of this kingdom, would still insist upon his majesty's settling religion according to the covenant, as the only means of preserving himself, his crown, and posterity." Upon reading this admonition of the kirk, the Scots parliament resolved, that his majesty be desired to grant the whole propositions; that in case of refusal, the kingdom should be secured without him. They declared farther, that the king-

* Hamilton's Memoirs, p. 296. Rushworth, p. 380.

dom of Scotland could not lawfully engage for the king, as long as he refused to take the covenant, and give them satisfaction in point of religion.* Nor would they admit him to come into Scotland, unless he gave a satisfactory answer to the propositions lately presented to him in the name of both kingdoms.

The resolutions above mentioned were not communicated in form to the king, till the beginning of January, when the Scots commissioners pressing him again in the most humble and importunate manner to give them satisfaction, at least in the point of religion, his majesty remained immovable: which being reported back to Edinburgh, the question was put in that parliament, whether they should leave the king in England, to his two houses of parliament? and it was carried in the affirmative. January 16, a declaration was published in the name of the whole kingdom of Scotland, wherein they say, "that when his majesty came to their army before Newark, he professed that he absolutely resolved to comply with his parliaments in every thing, for settling of truth and peace; in confidence whereof the committees of the kingdom of Scotland declared to himself, and to the kingdom of England, that they received him into their protection only upon these terms, since which time propositions of peace have been presented to his majesty for the royal assent, with earnest supplications to the same purpose, but without effect. The parliament of Scotland therefore being now to recall their army out of England, considering that his majesty in several messages has desired to be near his two houses of parliament, and that the parliament has appointed his majesty to reside at Holmby-house with safety to his royal person; and in regard of his majesty's not giving a satisfactory answer to the propositions for peace; and from a desire to preserve a right understanding between the two kingdoms, and for preventing new troubles, the states of parliament of the kingdom of Scotland do declare their concurrence for the king's majesty's going to Holmby-house, to remain there till he give satisfaction about the propositions for peace; and that, in the meantime, there be no harm, prejudice, injury, or violence, done to his royal person; that there be no change of government; and, that his posterity be no way prejudiced in

* Rushworth, p. 392.

their lawful succession to the crown and government of these kingdoms."*

While the parliament and kirk of Scotland were debating the king's proposals, his majesty wrote to the parliament of England in the most pressing terms, for a personal treaty at London; "It is your king (says he in his letter of December 10) that desires to be heard, the which, if refused to a subject by a king, he would be thought a tyrant; wherefore I conjure you, as you would shew yourselves really what you profess, good Christians and good subjects, that you accept this offer." But the houses were afraid to trust his majesty in London, and therefore appointed commissioners to receive him from the Scots,† and convoy him to Holmby-house in Northamptonshire, where he arrived February 6, 1646—7. The sum of 200,000*l.* being half the arrears due to the Scots army, having been paid them by agreement before they marched out of Newcastle, it has been commonly said, They sold their king. An unjust and malicious aspersion! It ought to be considered, that the money was their due before the king delivered himself into their hands; for that in settling the accounts between the two nations, his majesty's name was not mentioned:‡ that it was impossible to detain him without a war with England, and that the officers of the army durst not carry the king to Edinburgh, because both parliament and kirk had declared against receiving him.§

* Rushworth, p. 396.

† The king happened to be playing at chess, when he was informed of the resolution of the Scots nation to deliver him up: but, such command of temper did he enjoy, he continued his game without interruption, and none of the by-standers could perceive that the letter, which he perused, had brought him news of any consequence. He admitted the English commissioners, who, some days after, came to take him into custody, to kiss his hands: and received them with the same grace and cheerfulness, as if they had travelled on no other errand but to pay court to him. Hume's History of England, vol. 7. 8vo. 1763. p. 81, 82.—Ed.

‡ Vide Rapin, vol. 2. p. 325, folio edit.

§ Mr. Neal is supported in his account of this transaction by general Ludlow, who farther says, that the condition on which the money was paid, was to deliver up (not the king, but) Berwick, Newcastle, and Carlisle, to the parliament: that it was far from truth, that this was the price of the king, for the parliament freely granted to the Scots, that they might carry him, if they pleased, to Edinburgh, but they refused it: and that it was the king's desire to be removed into the southern parts of England. The Scots nation, however, underwent, and still undergo, the reproach of selling their king, and bargaining their prince for money. It has been argued that the parliament would never have parted with so considerable a sum, had they not been previously assured of receiving the king. It is a very evident fact, that while the Scots were demanding the arrears due to them, another point of treaty between them and the parliament, if it were not the explicit and avowed condition of complying with that requisition, was the delivering up the king. The unhappy monarch was considered and treated as the prisoner of those to whom he fled for protection. In-

But how amazing was his majesty's conduct! What cross and inconsistent proposals did he make at this time! While he was treating with the Scots, and offering to concur in the severest measures against the Independents, he was listening to the offers of those very Independents to set him upon the throne, without taking the covenant, or renouncing the liturgy of the church, provided they might secure a toleration for themselves. This agreeing with the king's inclinations, had too great a hearing from him, says bishop Burnet, till Lauderdale wrote from London, "that he was infallibly sure, they designed the destruction of monarchy, and the ruin of the king and his posterity; but that if he would consent to the propositions, all would be well, in spite of the devil and the Independents too."* If his majesty had in good earnest fallen in with the overtures of the army at this time, I am of opinion they would have set him upon the throne, without the shackles of the Scots covenant.

While the king was at Holmby-house, he was attended with great respect,† and suffered to divert himself at bowls with gentlemen in the neighbouring villages, under a proper guard. The parliament appointed two of their clergy, viz. Mr. Caryl and Mr. Marshal, to preach in the chapel, morning and afternoon on the Lord's day, and perform the devotions of the chapel on week-days, but his majesty never gave his attendance.‡ He spent his Sundays in private; and though they waited at table, he would not so much as admit them to ask a blessing.

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stead of declining to receive him, or afterward permitting him to take his own steps, they retained him, and disposed of him as a captive, as their interest or policy dictated. Was honour or justice in this case consulted? Alas! they are seldom consulted by political parties. A letter from general Ludlow to Dr. Hollingworth, 4to. 1662. p. 67. Mrs. Macaulay's History, vol. 4. p. 271, 8vo. Hume's History of England, vol. 7. 8vo. 1763. p. 79—81; and Whitelocke's Memorials, p. 240.—Dr. Grey has bestowed thirteen pages on this point, chiefly to shew, that 400,000*l.* could not be due as arrears to the Scots, and to advance against them the charge of selling the king. He informs us, that the 200,000*l.* immediately paid to them was borrowed of the Goldsmiths' company. To Mr. Neal's reflection on the imputation cast on the Scots of selling their king, that it is an unjust and malicious aspersion, bishop Warburton retorts, "The historian, before he said this, should have seen whether he could answer these two questions in the affirmative:—Would the English have paid the arrears without the person of the king?—Would the Scots have given up the king, if they could have had the arrears without?"—Ed.

* Hamilton's Memoirs, p. 288.

† But his situation here, independently of confinement, was made unpleasant to him, as his old servants were dismissed, and he was not allowed the attendance of his own chaplains. His majesty remonstrated on this last circumstance in a letter to the house of peers, but without effect. Clarendon, vol. 3. p. 39.—Ed.

‡ Clarendon, vol. 3. p. 38.

Before the king removed from Newcastle, the parliament put the finishing hand to the destruction of the hierarchy, by abolishing the very names and titles of archbishops, bishops, &c. and alienating their revenues for payment of the public debts. This was done by two ordinances, bearing date October 9 and November 16, 1646, entitled, "Ordinances for abolishing archbishops and bishops, and providing for the payment of the just and necessary debts of the kingdom, into which the same has been drawn by a war, mainly promoted by and in favour of the said archbishops, bishops, and other their adherents and dependants. The ordinance appoints, "that the name, title, style, and dignity, of archbishop of Canterbury, archbishop of York, bishop of Winchester, bishop of Durham, and all other bishops of any bishopricks within the kingdom of England, and dominion of Wales, be, from and after September 5, 1646, wholly abolished and taken away; and all and every person and persons are to be thenceforth disabled to hold the place, function, style, of archbishop or bishop of any church, see, or diocess, now established or erected, or hereafter to be established or erected within the kingdom of England, dominion of Wales, or town of Berwick-on-Tweed; or to use, or put in use, any archiepiscopal or episcopal jurisdiction or authority, by force of any letters patent from the crown, made, or to be made, or by any other authority whatsoever, any law, statute, usage, or custom, to the contrary notwithstanding."*

By the ordinance of November 16, it is farther ordained, "that all counties palatine, honours, manors, lordships, styles, circuits, precincts, castles, granges, messuages, mills, lands, tenements, meadows, pastures, parsonages, appropriate tithes, oblations, obventions, pensions, portions of tithes, vicarages, churches, chapels, advowsons, donations, nominations, rights of patronage and presentations, parks, woods, rents, reversions, services, annuities, franchises, liberties, privileges, immunities, rights of action and of entry, interests, titles of entry, conditions, commons, court-leets and court-barons, and all other possessions and hereditaments whatsoever, which now are, or within ten years before the beginning of the present parliament were, belonging to the said archbishops and bishops, archbishoprics or bishopricks,

* Husband's Collection, p. 922.

or any of them, together with all chattels, deeds, books, accompts, rolls, and other writings and evidences whatsoever, concerning the premises, which did belong to any of the said archbishops, bishops, &c.* are vested and settled, adjudged and deemed to be, in the real and actual possession and seisin of the twenty-four trustees mentioned in the ordinance, their heirs and assigns, upon trust that they shall dispose of the same, and the rents and profits thereof, as both houses of parliament shall order and appoint, i. e. for payment of the public debts, and other necessary charges occasioned by the war, promoted chiefly by and in favour of the said hierarchy, *saving* and excepting all tithes appropriate, *oblations*, obventions, and portions of tithes, &c. belonging to the said archbishops, bishops, and others of the said hierarchy; all which, together with 30,000*l.* yearly rent belonging to the crown, they reserve for the maintenance of preaching ministers. The trustees are not to avoid any lease made for three lives, or twenty-one years, provided the said lease or leases were not obtained since the month of December 1641. They are empowered to appoint proper officers to survey, and take a particular estimate of, all the bishops' lands, to receive the rents and profits of them, and to make a sufficient title to such as shall purchase them, by order of parliament."† By virtue of this ordinance the trustees were empowered to pay, or cause to be paid, to the assembly of divines, their constant salary allowed them by a former order of parliament, with all their arrears, out of the rents, revenues, and profits, belonging to the late archbishop of Canterbury, till such time as the said lands and revenues shall happen to be sold. These church-lands were at first mortgaged as a security for several large sums of money, which the parliament borrowed at eight per cent. interest. Several members of parliament, and officers of the army, afterward purchased them at low rates, but the bargain proved dear enough in the end. And surely it was wrong to set them to sale; the lands having been originally given for the service of religion, ought to have been continued for such uses, and the substance of the donors' intentions pursued; unless it appeared that too great a proportion of the national property had been settled in mortmain. But herein

* Rushworth, p. 377. † Scobel, p. 100. 102, 103.

they followed the ill examples of the kings and queens of England at the Reformation.

The Presbyterians were now in the height of their power, the hierarchy being destroyed, the king their prisoner, and the best if not all the livings in the kingdom distributed among them; yet still they were dissatisfied for want of the top-stone to their new building, which was church-power; the pulpits and conversation of the city were filled with invectives against the men in power, because they would not leave the church independent on the state; the Presbyterian ministers were very troublesome, the parliament being teased every week with church-grievances of one kind or another; December 19, the lord-mayor and his brethren went up to Westminster with a representation of some of them, and a petition for redress. The grievances were,

1. "The contempt that began to be put upon the covenant, some refusing to take it, and others declaiming loudly against it; they therefore pray, that it may be imposed upon the whole nation, under such penalties as the houses shall think fit; and that such as refuse it be disqualified from all places of profit and trust.

2. "The growth of heresy and schism; the pulpits having been often usurped by preaching soldiers, who infected all places where they came with dangerous errors; they therefore pray, that all such persons may be forbid to preach as have not taken the covenant, and been regularly ordained, and that all separate congregations, the very nurseries of damnable heretics, may be suppressed; that an ordinance be made for the exemplary punishment of heretics and schismatics, and that all godly and orthodox ministers may have a competent maintenance, many pulpits being vacant of a settled minister for want of it; and here (say they) we would lay the stress of our desires, and the urgency of our affections." They complain farther, of the "undue practices of country committees, of the threatening power of the army, and of some breaches in the constitution; all which they desire may be redressed, and that his majesty's royal person and authority may be preserved and defended, together with the liberties of the kingdom, according to the covenant."

To satisfy the petitioners, the house of commons published a declaration December 31, "wherein they express

their dislike of lay-preachers, and their resolutions to proceed against all such as shall take upon them to preach, or expound the Scriptures in any church or chapel, or any other public place, except they be ordained either here, or in some other reformed churches; likewise against all such ministers and others, as shall publish, or maintain by preaching, writing, printing, or any other way, any thing against, or in derogation of, the church-government which is now established by authority of parliament; and also against all and every person or persons who shall willingly or purposely interrupt or disturb a preacher in the public exercise of his function, and they command all officers of the peace, and officers of the army, to take notice of this declaration, and by all lawful means to prevent offences of this kind, to apprehend offenders, that a course may be speedily taken for a due punishment to be inflicted upon them." The house of lords published an order, bearing date December 22, requiring the headboroughs and constables, in the several parishes of England and Wales, to arrest the bodies of such persons as shall disturb any minister in holy orders, in the exercise of his public calling, by speech or action, and carry them before some justice of peace, who is required to put the laws in execution against them. February 4, they published an ordinance to prevent the growth and spreading of errors, heresies, and blasphemies; but these orders not coming up to their covenant-uniformity, the lord-mayor and common-council presented another petition to the two houses March 17, and appointed a committee to attend the parliament from day to day, till their grievances were redressed, of which we shall hear more under the next year.

We have already accounted for the unhappy rise of the sectarians in the army when it was new-modelled, who were now grown so extravagant as to call for some proper restraint, the mischief being spread not only over the whole country, but into the city of London itself: it was first pleaded in excuse for this practice, that a gifted brother had better preach and pray to the people than nobody; but now learning, good sense, and the rational interpretation of Scripture, began to be cried down, and every bold pretender to inspiration was preferred to the most grave and sober divines of the age; some advanced themselves into the rank of prophets, and others uttered all such crude and undigested

absurdities as came first into their minds, calling them the dictates of the Spirit within them; by which the public peace was frequently disturbed, and great numbers of ignorant people led into the belief of the most dangerous errors. The assembly of divines did what they could to stand in the gap, by writing against them, and publishing a Detestation of the Errors of the Times. The parliament also appointed a fast on that account February 4, 1645—6, and many books were published against the Antinomians, Anabaptists, Seekers, &c. not forgetting the Independents, whose insisting upon a toleration was reckoned the inlet to all the rest.

The most furious writer against the sectaries was Mr. Thomas Edwards,* minister of Christ-church, London, a zealous Presbyterian, who became remarkable by a book entitled Gangræna, or a catalogue of many of the errors, heresies, blasphemies, and pernicious practices, of this time; in the epistle dedicatory he calls upon the higher powers to rain down all their vengeance upon these deluded people, in the following language: "You have done worthily against Papists, prelates, and scandalous ministers, in casting down images, altars, crucifixes, throwing out ceremonies, &c. but what have you done (says he) against heresy, schism, disorder, against Seekers, Anabaptists, Antinomians, Brownists, Libertines, and other sects; you have made a reformation, but with the reformation have we not worse things come upon us than we had before, as denying the Scriptures, pleading for toleration of all religions and worships; yea, for blasphemy, and denying there is a God. You have put down the Common Prayer, and there are many among us that are for putting down the Scriptures. You have broken down the images of the Trinity, and we have those who oppose the Trinity. You have cast out bishops and their officers, and we have many that cast down to the ground all ministers. You have cast out ceremonies in the sacraments, as the cross, kneeling at the Lord's supper, and many cast out the sacraments themselves. You have put down saints' days, and many make nothing of the Lord's day. You have taken away the superfluous maintenance of bishops and

* He was originally of the university of Cambridge, but in 1623 was incorporated at Oxford. At the beginning of the civil wars, he joined the parliament, embarked all that was dear to him in the cause of the people, whom he excited to prosecute the war by the strain of his prayers and sermons, and advanced money to carry it on. Wood's Athenæ Oxonienses, vol. 1. p. 846.—Ed.

deans, and we have many that cry down the necessary maintenance of ministers. In the bishops' days we had singing of psalms taken away in some places, conceived prayer, preaching, and in their room anthems, stinted forms, and reading, brought in, and now singing of psalms is spoken against, public prayer questioned, and all ministerial preaching denied. In the bishops' time Popish innovations were introduced, as bowing at altars, &c. and now we have anointing the sick with oil; then we had bishoping of children, now we have bishoping of men and women, by laying on of hands. In the bishops' days we had the fourth commandment taken away, and now all ten are taken away by the Antinomians. The worst of the prelates held many sound doctrines, and had many commendable practices, but many of our sectaries deny all principles of religion, are enemies to all holy duties, order, learning, overthrowing all, being whirligig spirits, and the great opinion of a universal toleration tends to the laying all waste, and dissolution of all religion and good manners. Now (says our author) a connivance at, and suffering without punishment, such false doctrines and disorders, provokes God to send judgments. A toleration doth eclipse the glory of the most excellent reformation, and makes these sins to be the sins of the legislature that countenances them. A magistrate should use coercive power to punish and suppress evils, as appears from the example of Eli. Now, right honourable, though you do not own these heresies, but have put out several orders against them, yet there is a strange unheard-of suffering of them, such a one as there hardly ever was the like, under any orthodox Christian magistrate and state. Many sectaries are countenanced, and employed in places of trust: there has not been any exemplary restraint of the sectaries, by virtue of any of your ordinances, but they are slighted and scorned; preaching of laymen was never more in request than since your ordinance against it; presbyterial government never more preached and printed against, than since it was established. Our dear brethren of Scotland stand amazed, and are astonished at these things; the orthodox ministers and people both in city and country are grieved and discouraged, and the common enemy scorns and blasphemes; it is high time therefore for your honours to suffer no longer these sects and schisms, but to do some-

thing worthy of a parliament against them, and God will be with you."

After this dedication there are one hundred and seventy-six erroneous passages collected from sundry pamphlets printed about this time, and from the reports of friends in all parts of the kingdom, to whom he sent for materials to fill up his book; however, the heretics are at length reduced under sixteen general heads.

1. Independents	5. Anabaptists	9. Enthusiasts	13. Arians
2. Brownists	6. Arminians	10. Seekers	14. Antitrinitarians
3. Millenaries	7. Libertines	11. Perfectists	15. Antiscripturists
4. Antinomians	8. Familists	12. Socinians	16. Sceptics.

The industrious writer might have enlarged his catalogue with Papists and prelates, Deists, Ranters, Behemenists, &c. &c. or if he had pleased, a less number might have served his turn, for very few of these sectaries were collected into societies; but his business was to blacken the adversaries of Presbyterian uniformity, that the parliament might crush them by sanguinary methods. Among his heresies there are some which do not deserve that name; and among his errors, some that never grew into a sect, but fell occasionally from the pen or lips of some wild enthusiast, and died with the author. The Independents are put at the head of the sectaries, because they were for toleration of all Christians who agreed in the fundamentals of religion; to prove this, which they never denied, he has collected several passages out of their public prayers; one Independent minister (says he) prayed that presbytery might be removed, and the kingdom of Christ set up; another prayed two or three times, that the parliament might give liberty to tender consciences; another thanked God for the liberty of conscience granted in America; and said, Why, Lord, not in England? Another prayed, Since God had delivered both Presbyterians and Independents from prelatical bondage, that the former might not be guilty of bringing their brethren into bondage. The reader will judge of the spirit of this writer, by the foregoing specimen of his performance, which I should not have thought worth remembering, if our church-writers had not reported the state of religion from his writings. "I knew Mr. Edwards very well (says Fuller*), my contemporary in Queen's college, who often was transported beyond due

* Appeal, p. 58.

bounds with the keenness and eagerness of his spirit, and therefore I have just cause in some things to suspect him." He adds farther, "I am most credibly informed, by such who I am confident will not abuse me and posterity therein, that Mr. Herbert Palmer (an anti-Independent to the height), being convinced that Mr. Edwards had printed some falsehoods in one sheet of his Gangræna, proffered to have a sheet reprinted at his own charge, but some accident obstructed it." However, our author went on publishing a second and third Gangræna, full of most bitter invectives and reproaches, till his own friends were nauseated with his performances.

The reverend Mr. Baxter, who attended the victorious army, mentions the Independents, Anabaptists, and Antinomians, as the chief separatists, to whom he adds some other names, as Seekers, Ranters, Behemenists, Vanists, all which died in their infancy, or united in the people afterward known by the name of Quakers; but when he went into the army he found "almost one half of the religious party among them orthodox, or but very lightly touched with the above-mentioned mistakes, and almost another half honest men, that had stepped farther into the contending way than they ought, but with a little help might be recovered; a few fiery, self-conceited men among them, kindled the rest, and made all the noise and bustle; for the greatest part of the common soldiers were ignorant men, and of little religion; these would do any thing to please their officers, and were instruments for the seducers in their great work, which was to cry down the covenant, to vilify parish-ministers, and especially the Scots and the Presbyterians." Mr. Baxter observes,* that "these fiery hot men were hatched among the old separatists; that they were fierce with pride, and conceit, and uncharitableness, but many of the honest soldiers, who were only tainted with some doubts about liberty of conscience, and independency, would discourse of the points of sanctification and Christian experience very savourily; the seducers above mentioned were great preachers, and fierce disputants, but of no settled principles of religion; some were of levelling principles as to the state, but all were agreed, that the civil magistrate had nothing to do in matters of religion, any farther than to keep the peace, and

* Baxter's Life, p. 53.

protect the church-liberties." The same writer adds, "To speak impartially, some of the Presbyterian ministers frightened the sectaries into this fury, by the unpeaceableness and impatience of their minds; they ran from libertinism into the other extreme, and were so little sensible of their own infirmity, that they would not have them tolerated, who were not only tolerable, but worthy instruments and members in the churches." Lord Clarendon says, that Cromwell and his officers preached and prayed publicly with their troops, and admitted few or no chaplains in the army, except such as bitterly inveighed against the Presbyterian government, as more tyrannical than episcopacy; and that the common soldiers, as well as the officers, did not only pray and preach themselves, but went up into the pulpits in all churches, and preached to the people, who quickly became inspired with the same spirit; women as well as men taking upon them to pray and preach; which made as great a noise and confusion in all opinions concerning religion, as there was in the civil government of the state.

Bishop Bramhall, in one of his letters to archbishop Usher, writes, that, "the Papists took advantage of these confusions, and sent over above one hundred of their clergy, that had been educated in France, Italy, and Spain, by order from Rome. In these nurseries the scholars were taught several handicraft trades and callings, according to their ingenuities, besides their functions in the church; they have many yet at Paris (says the bishop) fitting up to be sent over, who twice in the week oppose one the other; one pretending presbytery, the other independency, some anabaptism, and others contrary tenets. The hundred that went over this year (according to the bishop) were most of them soldiers in the parliament-army."* But Mr. Baxter,† after a most diligent inquiry, declares, "that he could not find them out;" which renders the bishop's account suspected. "The most that I could suspect for Papists among Cromwell's soldiers (says he) were but a few that began as strangers among the common soldiers, and by degrees rose up to some inferior officers, but none of the superior officers seemed such." The body of the army had a vast aversion to the Papists, and the parliament took all occasions of treating them with rigour; for, June 30, Morgan, a priest,

* Parr's Life of Usher, p. 611. † Ibid. p. 78.

was drawn, hanged, and quartered, for going out of the kingdom to receive orders from Rome, and then returning again. However, without all question, both church and state were in the utmost disorder and confusion at the close of this year [1646].

Among the illustrious men of the parliament's side who died about this time, was Robert D'Evereux earl of Essex, son of the famous favourite of queen Elizabeth; he was educated to arms in the Netherlands, and afterward served the king and queen of Bohemia for the recovery of the Palatinate. King Charles I. made him lieutenant of his army in his expedition against the Scots, and lord-chamberlain of the household; but the earl, being unwilling to go into the arbitrary measures of the court in favour of Popery and slavery, engaged on the side of the parliament, and accepted of the commission of captain-general of their forces, for which the king proclaimed him a traitor. He was a person of great honour, and served the parliament with fidelity; but being of opinion, that the war should be ended rather by treaty than conquest, did not always push his successes as far as he might. Upon the new-modelling of the army, the cautious general was dismissed with an honourable pension for his past services; after which he retired to his house at Eltham in Kent, where he died of a lethargy, occasioned by overheating himself in the chase of a stag in Windsor-forest, September 14, 1646, in the fifty-fifth year of his age.* He was buried with great funeral solemnity in Westminster-abbey, October 22, at the public expense, both houses of parliament attending the procession. His effigies was afterward erected in Westminster-hall, but some of the king's party found means in the night to cut off the head, and break the sword, arms, and escutcheons. Mr. Vines preached his funeral sermon, and gave him a very high encomium, though lord Clarendon has stained his character for taking part with the parliament, which he says was owing to his pride and vanity. The earl's countenance appeared stern and solemn, but to his familiar acquaintance his behaviour was mild and affable. Upon the whole, he was a truly great and excellent person; his death was an unspeakable loss to the king, for he was the only nobleman perhaps in the kingdom who had interest

* Ludlow, p. 186, or 4to. edition, 1771, p. 79.

enough with both parties, to have put an end to the civil war, at the very time when Providence called him out of the world.

Among the remarkable divines may be reckoned the reverend and learned Mr. Thomas Colman, rector of St. Peter's church in Cornhill; he was born at Oxford, and entered in Magdalen-college in the seventeenth year of his age; he afterward became so perfect a master of the Hebrew language, that he was commonly called Rabbi Colman. In the beginning of the civil war he left his rectory of Blyton in Lincolnshire, being persecuted from thence by the cavaliers. Upon his coming to London, he was preferred to the rectory of St. Peter's Cornhill, and made one of the assembly of divines. Mr. Wood says, he behaved modestly and learnedly in the assembly; and Mr. Fuller gives him the character of a modest and learned divine; he was equally an enemy to presbytery and prelacy, being of Erastian principles; he fell sick while the assembly was debating the *jus divinum* of presbytery; and when they sent some of their members to visit him, he desired they would not come to an absolute determination till they heard what he had to offer upon the question; but his distemper increasing he died in a few days, and the whole assembly did him the honour to attend his funeral in a body March 30, 1646.*

About the middle of July died the learned doctor William Twisse, vicar of Newbury, and prolocutor of the assembly of divines; he was born at Speenham-Land, near Newbury in Berkshire; his father was a substantial clothier in that town, and educated his son at Winchester-school, from whence he was translated to New-college in Oxford, of which he was fellow; here he employed himself in the study of divinity with the closest application, for sixteen years together. In the year 1604, he proceeded master of arts; about the same time he entered into holy orders, and became a diligent and frequent preacher; he was admired by the universities for his subtle wit, exact judgment, exemplary life and conversation, and many other valuable qualities which became a man of his function. In the year 1614, he proceeded doctor of divinity, after which he travelled into Germany, and became chaplain to the princess palatine, daughter of king James I. After his return to

* Church History, b. 9. p. 213. Wood's Athen. Oxon. vol. 2. p. 62.

England, he was made vicar of Newbury, where he gained a vast reputation by his useful preaching and exemplary living. His most able adversaries have confessed, that there was nothing then extant more accurate and full, touching the Arminian controversy, than what he published: and hardly any who have written upon this argument since the publishing Dr. Twisse's works, but have made an honourable mention of him.* The doctor was offered the prebend of Winchester, and several preferments in the church of England; the states of Friesland invited him to the professorship of divinity in their university of Franeker, but he refused all. In the beginning of the civil war, he was forced from his living at Newbury by the cavaliers, and upon convening the assembly of divines, was appointed by parliament their prolocutor, in which station he continued to his death, which happened after a lingering indisposition, about the 20th of July, 1646, in the seventy-first year of his age. He died in very necessitous circumstances, having lost all his substance by the king's soldiers, insomuch that when some of the assembly were deputed to visit him in his sickness, they reported, that he was very sick, and in great straits. He was allowed to be a person of extensive knowledge in school-divinity; a subtle disputant,† and withal, a modest, humble, and religious person. He was buried, at the request of the assembly, in the collegiate church of St. Peter's Westminster, near the upper end of the poor folks' table, next the vestry, July 24, and was attended by the whole assembly of divines: there his body rested till the restoration of king Charles II. when his bones were dug up by order of council, September 14, 1661, and thrown with several others into a hole in the churchyard of St. Margaret's, before the back-door of the lodgings of one of the prebendaries.

Towards the end of the year died the reverend and pious Mr. Jeremiah Burroughs; he was educated in Cambridge, but obliged to quit the university and kingdom for noncon-

* Athenæ Oxon. vol. 2. p. 40, 41.

† He distinguished himself by his writings against Arminianism. The most learned of that party confessed that there was nothing more accurate, exact, and full, on that controversy, than his works. His plain preaching was esteemed good: his solid disputations were accounted, by some, better: and his pious way of living was reckoned, by others, especially the Puritans, best of all. Wood's Athenæ Oxon. vol. 2. p. 40,—Ed.

formity in the late times.* Upon his leaving England, he was chosen minister of an English congregation at Rotterdam, with which he continued till the year 1642, when he returned to England, and became preacher to two of the largest and most numerous congregations about London, viz. Stepney and Cripplegate. He was one of the dissenting brethren in the assembly, but was a divine of great candour, modesty, and charity. He never gathered a separate congregation, nor accepted of a parochial living, exhausting his strength in continual preaching, and other services of the church. He was an excellent scholar, a good expositor, a popular preacher; he published several treatises while he lived, and his friends have published many others since his death, which have met with a general acceptance. It was said, the divisions of the times broke his heart, because one of the last subjects he preached upon, and printed, was his Irenicum, or an attempt to heal divisions among Christians. Mr. Baxter used to say, if all the Presbyterians had been like Mr. Marshal, and the Independents like Mr. Burroughs, their differences might easily have been compromised. He died of a consumptive illness November 14, 1646, about the forty-seventh year of his age.

CHAP. VIII.

PROCEEDINGS OF THE ASSEMBLY UPON THEIR CONFESSION OF FAITH AND CATECHISMS. PROVINCIAL ASSEMBLIES OF LONDON. THE KING TAKEN OUT OF THE PARLIAMENT'S CUSTODY, AND CONVEYED TO THE ARMY. CONTROVERSY BETWEEN THE PARLIAMENT AND ARMY. HIS MAJESTY'S CONDUCT. HE ESCAPES FROM HAMPTON-COURT, AND IS CONFINED IN THE ISLE OF WIGHT.

THE reverend Mr. Charles Herle succeeded to the prolocutor's chair by order of parliament July 22, 1646, in the room of the late Dr. Twisse, when the discipline of the

* He for some time sheltered himself under the hospitable roof of the earl of Warwick. Granger's History of England, vol. 2. p. 193. 8vo. This nobleman was a great patron of the Puritan divines: and not contented with hearing long sermons in their congregation only, would have them repeated at his own house. Ibid. p. 116. —ED.

church being pretty well settled, it was moved to finish their confession of faith. The English divines would have been content with revising and explaining the thirty-nine articles of the church of England, but the Scots insisting on a system of their own, a committee was appointed to prepare materials for this purpose May 9, 1645; their names were, Dr. Gouge, Dr. Hoyle, Mr. Herle, Gataker, Tuckney, Reynolds, and Vines, with the Scots divines, who having first settled the titles of the several chapters, as they now stand in their confession of faith, in number thirty-two, distributed them, for greater expedition, among several sub-committees, which sat two days every week, and then reported what they had finished to the committee, and so to the assembly, where it was debated paragraph by paragraph. The disputes about discipline had occasioned so many interruptions that it was a year and half before this work was finished, but on November 26, 1646, the prolocutor returned thanks to the several committees, in the name of the assembly, for their great pains in perfecting the work committed to them. At the same time Dr. Burges was appointed to get it transcribed, in order to its being presented to parliament, which was done December 11, by the whole assembly in a body, under the title of, "The humble advice of the assembly of divines and others, now, by the authority of parliament, sitting at Westminster, concerning a confession of faith." The house of commons having voted the assembly thanks, desired them to insert the proofs of the several articles in their proper places, and then to print six hundred copies,* and no more, for the perusal of the houses. The reverend Mr. Wilson, Mr. Byfield, and Mr. Gower, were appointed, January 6, to be a committee to collect the Scriptures for confirmation of the several articles; all which, after examination by the assembly, were inserted in the margin. And then the whole confession was committed once more to a review of the three committees, who made report to the assembly of such farther amendments as they thought necessary; which being agreed to by the house, it was sent to the press, May 11, 1647. Mr. Byfield, by order of the house

* The MSS. to which Mr. Neal refers, though supported by the authority of Rushworth, made a mistake here: for by a copy of the original order, given by Dr. Grey, in his Appendix, no. 71, it appears, that the order of the house was for printing five hundred copies and no more of "The humble advice," &c. See also Whitelocke's Memorials, p. 233.—Ed.

of commons, delivered to the members the printed copies of their confession of faith, with Scripture notes, signed,

Charles Herle, prolocutor;
Corn. Burges, Herbert Palmer, assessors;
Henry Roborough, Adoniram Byfield, scribes.

And because no more were to be given out at present, every member subscribed his name to the receipt thereof.

The house of commons began their examination of this confession May 19, when they considered the whole first chapter article by article;* but the disturbances which arose between the parliament and army interrupted their proceeding the whole summer; but when these were quieted they resumed their work, and October 2, ordered a chapter of the confession of faith at least to be debated every Wednesday, by which means they got through the whole before the end of March following; for at a conference with the house of lords March 22, 1647—8, the commons presented them with the confession of faith as passed by their house, with some alterations: they agreed with the assembly in the doctrinal part of the confession, and ordered it to be published, June 20, 1648, for the satisfaction of the foreign churches, under the title of "Articles of religion approved and passed by both houses of parliament, after advice had with an assembly of divines called together by them for that purpose."† The parliament not thinking it proper to call it a confession of faith, because the sections did not begin with the words I confess;‡ nor to annex matters of church-government, about which they were not agreed, to doctrinal articles; those chapters therefore, which relate to discipline, as they now stand in the assembly's confession, were not printed by order of the house, but recommitted, and at last laid aside; as the whole thirtieth chapter, of church censures, and of the power of the keys; the thirty-first chapter, of synods and councils, by whom to be called, and of what force in their decrees and determinations: a great part of the twenty-fourth chapter, of marriage and divorce, which they referred to the laws of the land; and the fourth paragraph of the twentieth chapter, which determines what opinions and parties disturb the peace of the church, and how such disturbers ought to be proceeded against by the

* Rushworth, part 4. vol. 1. p. 482. † Ibid. p. 1035.
‡ Savoy Conf. Pref. p. 18, 19.

censures of the church, and punished by the civil magistrate. These propositions, in which the very life and soul of presbytery consists, never were approved by the English parliament, nor had the force of a law in this country: but the whole confession, as it came from the assembly, being sent into Scotland, was immediately approved by the general assembly and parliament of that kingdom, as the established doctrine and discipline of their kirk;* and thus it has been published to the world ever since, though the chapter above mentioned, relating to discipline, received no parliamentary sanction in England; nevertheless, as the entire confession was agreed to by an assembly of English divines, I have given it a place in the Appendix.†

Nor is it to be supposed, that the confession of faith itself, which determines so many abstruse points of divinity, should have the unanimous and hearty assent of the whole assembly or parliament: for though all the divines were in the anti-Arminian scheme, yet some had a greater latitude than others. I find in my MS. the dissent of several members against some expressions relating to reprobation, to the imputation of the active as well as passive obedience of Christ, and to several passages in the chapters of liberty of conscience and church-discipline; but the confession, as far as related to articles of faith, passed the assembly and parliament by a very great majority.

Various censures have been passed by learned men upon this laboured performance: some have loaded it with undeserved reproaches; and others, perhaps, have advanced its reputation too high. Mr. Collyer condemns it, for determining in favour of the morality of the sabbath; for pronouncing the pope to be antichrist; and for maintaining the Calvinian rigours of absolute predestination, irresistible grace, and the impotency of man's will; doctrines, in his opinion, inconsistent with Christianity.‡ But then, he observes, very justly, that it falls very short of the Scots claim in points of discipline; it yields the magistrate a power of convening church-assemblies, and of superintending their proceedings; it is silent as to the independency of the church, and the divine right of presbytery, &c. Upon the whole, the assembly's confession, with all its faults, has

* Savoy Conf. Pref. p. 20.
† Appendix, no. 8.
‡ Eccl. Hist. vol. 2. p. 842.

been ranked by very good judges among the most perfect systems of divinity,* that have been published upon the Calvinistic or anti-Arminian principles in the last age.

While the confession was carrying through the assembly, committees were appointed to reduce it into the form of catechisms; one larger, for the service of a public exposition in the pulpit, according to the custom of foreign churches; the other smaller, for the instruction of children; in both which the articles relating to church-discipline are entirely omitted.† The larger catechism is a comprehensive system of divinity, and the smaller, a very accurate summary, though it has by some been thought a little too long, and in some particulars too abstruse for the capacities of children. The shorter catechism was presented to the house of commons, November 5, but the larger, by reason of the marginal references to Scripture, which the houses desired might be inserted, was not ready till the 14th of April, 1648, when the house ordered six hundred copies to be printed for the service of the members; and having examined and approved it, they allowed it to be printed by authority, for public use, September 15, 1648. The king, after many solicitations, at the treaty of the Isle of Wight, offered to license the shorter catechism with a suitable preface; but that treaty proving unsuccessful, it was not accomplished.‡

The chief affairs committed to the assembly being thus finished, Mr. Rutherford, one of the Scots divines, moved, October 24, 1647, that it might be recorded in the scribes' books, that the assembly had enjoyed the assistance of the honourable, reverend, and learned commissioners of the church of Scotland, during all the time they had been debating and perfecting these four things mentioned in the covenant, viz. their composing a directory for public worship; a uniform confession of faith; a form of church-government and discipline; and a public catechism; some of their number having been present during the whole of these transactions; which being done, about a week after, he and

* Here may be introduced, as it escaped our recollection in the more proper place, the remark made by Mr. Robinson on the Directory. "The best state instructions to preachers were given in the Directory by the assembly of divines; but even these (he properly adds) include the great, the fatal error, the subjection of God's word to human laws." Translation of Claude on the Composition of a Sermon, vol. 2. Prefatory Dissertation, p. 63.—Ed.

† Rushworth, p. 888. 1060.

‡ Ibid. p. 1326.

the rest of the commissioners took their leave, and returned home; upon which occasion Mr. Herle the prolocutor rose up, and, in the name of the assembly, "thanked the honourable and reverend commissioners, for their assistance; he excused in the best manner he could, the Directory's not being so well observed as it ought; and lamented that the assembly had not power to call offenders to an account: he confesses, that their affairs were very much embarrassed, and that they were still in a chaos of confusion [the king being now taken out of the hands of the parliament, and in custody of the army]; he takes notice of what distresses the parliament were in, while the common enemy was high and strong; and adds, that their extraordinary successes hitherto, were owing to the prayers of their brethren of Scotland, and other Protestants abroad, as well as to their own He then mentions with concern some other restraints the assembly lay under, but that this was not a proper season for redress."

The commissioners went home under a very heavy concern for the storm that was gathering over England, and for the hardships the Presbyterians lay under with respect to their discipline; and having obtained the establishment of the Directory, the confession of faith and catechisms, the Presbyterian discipline, and Rouse's psalms in metre, for the service of their kirk, they appointed a general fast, to lament their own defection from the solemn league and covenant, and the distressed condition of their brethren in England, who were zealous for carrying on the work of God, but were now oppressed, under pretence of liberty, when no less was aimed at than tyranny and arbitrary power.

If the parliament had dissolved the assembly at this time, as they ought to have done, they had broke up with honour and reputation, for after this they did little more than examine candidates for the ministry, and squabble about the *jus divinum* of presbytery; the grand consultations concerning public affairs, and practising upon the new establishment, being translated to the provincial assemblies, and weekly meetings of the London clergy at Sion-college.*

* Rapin, vol. 2. p. 297, note. That the reader may form a judgment of what was intended to be established in England, it may not be improper to set before him, in one view, the discipline that was then settled in the kirk of Scotland, and subsists at this time. "In Scotland there are eight hundred and ninety parishes, each of which

Though the city and suburbs of London had been formed into a province, and divided into twelve classical presbyteries (as has been remembered) under the last year, new complaints were still made to the parliament of certain obstructions to their proceedings; upon which the houses published their resolutions of April 22, 1647, entitled, "Remedies for removing some obstructions in church-government;"* in which they ordered letters to be sent from the speakers of both houses to the several counties of England, immediately to divide themselves into distinct presbyteries and classes; "they then appoint the elders and ministers of the several classes of the province of London, to hold their provincial assembly in the convocation-house of St. Paul's in London, upon the first Monday in May next ensuing, and to adjourn their meetings *de die in diem*, and conclude them with adjournment to the next opportunity, according to the ordinance of parliament; but that no act shall pass or be valid in the said province of London, except it be done by the number of thirty-six present, or the major part of them, whereof twelve to be ministers, and twenty-four ruling elders. That in the classical meetings, that which shall be done by the major part present, shall be esteemed the act of the whole; but no act done by any classes shall be valid, unless it be done by the number of fifteen present, or the major part of them, whereof five be ministers and ten ruling

is divided, in proportion to its extent, into particular districts, and every district has its own ruling elders and deacons; the ruling elders are men of the principal quality and interest in the parish, and the deacons are persons of a good character for manners and understanding. A consistory of ministers, elders, and deacons, is called a kirk-session, the lowest ecclesiastical judicatory, which meets once a week, to consider the affairs of the parish. The minister is always moderator, but without a negative; appeals lie from hence to their own presbyteries, which are the next higher judicatories. Scotland is divided into sixty-nine presbyteries, each consisting of from twelve to twenty-four contiguous parishes. The ministers of these parishes, with one ruling elder, chosen half-yearly out of every kirk-session, compose a presbytery. They meet in the head town and choose their moderator, who must be a minister, half-yearly; from hence appeals lie to provincial synods, which are composed of several adjacent presbyteries. Two, three, four to eight; there are fifteen in all. The members are, a minister and a ruling elder out of every parish. These synods meet twice a year, at the principal town of its bounds. They choose a moderator, who is their prolocutor. The acts of the synods are subject to the review of the general assembly, the dernier resort of the kirk of Scotland. It consists of commissioners from presbyteries, royal burghs, and universities. A presbytery of twelve ministers sends two ministers and one ruling elder; a presbytery of between twelve and eighteen sends three, and one ruling elder; of between eighteen and twenty-four sends four, and two ruling elders; of twenty-four sends five, and two elders; every royal burgh sends one elder, and Edinburgh two; every university sends one commissioner, usually a minister. The general assembly meets once a year, in the month of May, and is opened and adjourned, by the king's royal commissioner appointed for that purpose."

* Vol. Pamp. no. 4.

elders." So that the number of lay-elders in these assemblies was double to the number of ministers.

According to this appointment the first provincial assembly met at the convocation-house of St. Paul's May 3, consisting of three ministers and six ruling elders from the several classes, in all about one hundred and eight persons; at their first session they chose the reverend Dr. Gouge prolocutor, who opened the assembly with a sermon at his own church in Blackfriars; the reverend Mr. Thomas Manton, Mr. Ralph Robinson, and Mr. Cardel, being appointed scribes. After their return to the convocation-house, a committee of seven ministers and fourteen ruling elders were chosen to consider of the business of the province.

The ministers were,

Rev. Mr. Whitaker	Rev. Mr. Spurstow	Rev. Mr. Proffet
Dr. Seaman	Mr. Tuckney	Mr. Jackson.
Mr. Ed. Calamy		

The ruling elders were,

Sir Edw. Popham	Mr. Russel	Mr. Webbe
Dr. Clarke	Mr. Bains	Mr. English
Dr. Bastwicke	Mr. Houghton	Col. Sowtonstall
Dr. Brinley	Mr. Eyres	Mr. ——.
Mr. Bence	Mr. Vaughan	

Any six to be a quorum, provided there be two ministers and four ruling elders. Their next meeting to be at Sion-college, May 6, at two in the afternoon.

At the second sessions, it was moved, that application be made to parliament, for liberty to remove the assembly from the convocation-house to some other place; and accordingly they were allowed to adjourn to any place within the city or liberties of London, upon which they agreed upon Sion-college, where they continued to meet twice a week to the end of the year 1659, as appears by a manuscript of the late Mr. Grange, now in Sion-college library.

Before the adjournment from the convocation-house at St. Paul's, they came to the following resolutions; Resolved,

1. That the provincial assembly shall meet twice every week, Mondays and Thursdays.

2. That the moderator for the time being shall begin and end every session with prayer.

3. When a new moderator is to be chosen, the senior minister shall preside.

4. The moderator shall be subject to the censure of the majority of the assembly, in case of complaint, and shall

leave the chair while the complaint is debating, and the senior minister shall preside.

5. Every one that speaks shall direct his speech to the moderator, and be uncovered.

6. No man shall speak above three times to the same question at one sessions.

7. When any business is before the assembly relating to any particular member, he shall withdraw, if desired by the majority.

8. After the assembly is set, no member shall withdraw without leave.

9. The names of the members present shall be recorded by the scribes.

Every provincial assembly was dissolved in course at the end of six months, when notice was given to the several classes to return new representatives; but it was an ill omen upon them, that their meetings were interrupted almost the whole summer, by reason of the distraction of the times.

The second provincial assembly met November 8, Dr. Seaman moderator, and presented a petition to the parliament in a body January 11, in which they humbly pray,

1. "That the number of delegates to the provincial assembly may be enlarged, because they found it difficult sometimes to make up the number of thirty-six.

2. "That the houses would quicken the settlement of those classes [in London] that were not yet formed, which they say were four.

3. "That some more effectual encouragement may be provided for a learned ministry.

4. "That effectual provision may be made against clandestine marriages, for the punishment of fornication, adultery, and such uncleanness as is not fit to be named.

5. "That church-censures may be so established, that scandalous persons may be effectually excluded from church-communion."

The parliament received them with respect, and promised to take the matter of the petition into consideration, which was all that was done in the affair.

But besides the provincial assembly, it has been remembered, that the London clergy had their weekly meetings at Sion-college, to consult about church-affairs, in one of which they agreed, since they could do no more, to bear their

public testimony against the errors of the times; and accordingly they published a treatise, entitled, "A testimony to the truth of Jesus Christ, and to our solemn league and covenant; as also against the errors, heresies, and blasphemies, of these times, and the toleration of them; to which is added a catalogue of the said errors," &c. dated from Sion-college, December 14, 1647, and subscribed by fifty-eight of the most eminent pastors in London, of whom seventeen were of the assembly of divines. Some time after the ministers of Gloucestershire published their concurrence with the London ministers, subscribed by sixty-four names; the ministers of the province of Lancashire by eighty-four; the Devonshire ministers by eighty-three; and the Somerset ministers by seventy-one.

The London ministers, in their first article, "touching matters of doctrine, declare their assent to the Westminster assembly's confession of faith, and heartily desire it may receive the sanction of authority, as the joint confession of faith of the three kingdoms, in pursuance of the covenant."

Touching heresies and errors, they declare their detestation and abhorrence of these following, among others,

1. "That the Holy Scriptures are not of divine authority, and the only rule of faith.*

2. "That God hath a bodily shape; that God is the name of a person; and, that God is the author of sin, having a greater hand in it than men themselves.†

3. "That there is not a trinity of persons in the Godhead; that the Son is not coequal with the Father; and, that the Goly Ghost is only a ministering spirit.‡

4. "That God has not elected some to salvation from eternity, and rejected or reprobated others; and, that no man shall perish in hell for Adam's sin.§

5. "That Christ died for the sins of all mankind; that the benefits of his death were intended for all; and, that natural men may do such things as whereunto God has by way of promise annexed grace and acceptation.‖

6. "That man hath a free will and power in himself to repent, to believe, to obey the gospel, and do every thing that God requires to salvation.¶

7. "That faith is not a supernatural grace, and that

* L. Clarkson. Biddle, p. 6. † Crisp, Eaton, Saltmarsh. ‡ Paul Best. Biddle, p. 8.
§ Fulness of God's Love to Mankind, by L. S. ‖ Hammond's Pract. Cat. J. Goodwin, p. 149. ¶ J. Goodwin.

faithful actions are the only things by which a man is justified.*

8. "That the moral law is not the rule of life; that believers are as clean from sin as Christ himself; that such have no occasion to pray for pardon of sin; that God sees no sin in his people, nor does he ever chastise them for it.†

9. "That there is no church, nor sacraments, nor sabbath—the opinions of the Seekers, now called Quakers.‡

10. "That the children of believers ought not to be baptized, nor baptism continued among Christians; that the meaning of the third commandment is, Thou shalt not forswear thyself.§

11. "That persons of the next kindred may marry; and that indisposition, unfitness, or contrariety of mind, arising from natural causes, are a just reason of divorce.‖

12. "That the soul of man is mortal; that it sleeps with the body; and, that there is neither heaven nor hell till the day of judgment."¶

The last error they witness against, and in which all agree, is called the "error of toleration,** patronising and promoting all other errors, heresies, and blasphemies, whatsoever, under the grossly abused notion of liberty of conscience;" and here they complain as a very great grievance, "that men should have liberty to worship God in that way and manner as shall appear to them most agreeable to the word of God; and no man be punished or discountenanced by authority for the same; and, that an enforced uniformity of religion throughout a nation or state confounds the civil and religious, and denies the very principles of Christianity and civility.††

They then bear their testimony to the covenant, and to the divine right of presbytery. They lament the imperfect settlement of their discipline by the parliament, and lay the foundation of all their calamities in the countenancing of a public and general toleration, and conclude thus; "Upon all these considerations, we the ministers of Jesus Christ do hereby testify to our flocks, to all the kingdom, and to the

* Ham. † Randal, John Simpson. ‡ Saltmarsh, Smoak in the Temple, p. 17. § Tombes. ‖ Saltmarsh. Ham. Milton, p. 19. ¶ P. 20. Man's Mortality, by R. O.

** Mr. Emlyn justly observes, "that the principle of the admired assembly's larger catechism, under the second commandment, is, that it forbids toleration of all false religion." Emlyn's Works, vol. 1. p. 60. of the narrative edition of 1746.—Ed.

†† Bloody Tenet. Five Holland Ministers, p. 22.

reformed world, our great dislike of prelacy, Erastianism, Brownism, and Independency; and our utter abhorrency of anti-Scripturism, Popery, Arianism, Socinianism, Arminianism, Antinomianism, Anabaptism, Libertinism, and Familism; and that we detest the forementioned toleration, so much pursued and endeavoured in this kingdom, accounting it unlawful and pernicious." What sad work would these divines have made, had the sword of the magistrate been at their disposal!*

The principal authors from whom these errors were collected, are mentioned in the margin; two of whom determined to vindicate the citations out of their books: Dr. Hammond published a vindication of three passages in his Practical Catechism, from the censures of the London ministers; in which he very justly complains of the hard names with which the ministers load the opinions they reject, as "abominable errors, damnable heresies, horrid blasphemies, many of which are destructive of the fundamentals of Christianity, and all of them repugnant to the Holy Scriptures, the scandal and offence of the reformed churches abroad, and the unparelleled reproach of this church and nation; and, in a word, the dregs and spawn of those old cursed heresies which have been already condemned." The doctor then recites his three passages; the first concerning universal redemption; the second concerning faith's being the condition of our justification; and the third concerning the interpretation of the third commandment; and avers them all to be true, and agreeable to the doctrine of the church of England. In conclusion the doctor desires this favour, that either the first subscriber, Mr. J. Downham, who licensed his catechism for the press, or else Dr. Gouge or Mr. Gataker, who are foremost in the second rank, or some other persons of learning, Christianity, and candour, would afford him their patience, personally and by fair discourse, or any

* It deserves to be mentioned here, as a fact remarkable in itself, and honourable to the assembly at Westminster, that, notwithstanding the zeal expressed against toleration, the confession of faith it drew up was not made the legal standard of orthodoxy. It was not subscribed by any member of that assembly, except by the prolocutor, assessors, and clerks. Nor till forty years after was a subscription or assent to it required of any layman or minister, as a term of Christian communion. And Mr. Nye, a member of the assembly, informs us, when the Scots commissioners proposed, that the answers in the shorter catechism should be subscribed by all the members, the motion was rejected; after a considerable number in the assembly had shewn it was an unwarrantable imposition. Conscientious Nonconformity, printed for Noon, 1737, p. 77. The Religious Establishment in Scotland Examined, 1771, p. 104.—Ed.

other Christian way, to debate the truth of these assertions, for which he will wait their leisure. Dated from Oxford, January 24, 1647—8, but nobody thought fit to accept the challenge.

Mr. John Goodwin was a learned divine, and a smart disputant, but of a peculiar mould, being a republican, an Independent, and a thorough Arminian; he had been vicar of Coleman-street, whence he was ejected in the year 1645, by the committee for plundered ministers, because he refused to baptize the children of his parishioners promiscuously, and to administer the sacrament to his whole parish. He had published several large and learned books; as, The Divine Authority of the Scriptures; Redemption Redeemed; A Treatise of Justification; and, An Exposition on the Ninth Chapter to the Romans;—out of which the above-mentioned exceptions were taken. This divine, taking it amiss to be marked for a heretic, challenged any of the London clergy to a disputation, as thinking it a very unrighteous method to condemn opinions before they had been confuted. Mr. William Jenkins, at that time a warm and zealous Presbyterian, though afterward softened into more catholic principles, entered the list with our author, in a pamphlet entitled, "The busy bishop." To which the other replied, in a book entitled, "The novice presbytery instructed." By some passages in which, one may discover the angry spirit of the times.

Mr. Jenkins had complained that the orthodox clergy had short commons, and were under the cross, whereas the sectaries met with the greatest encouragement. To which Mr. Goodwin replies, "If by orthodox ministers, he means those of the adored order of presbytery, with what face can he say that they are under the cross? Is not the whole English element of church-livings offered up by the state to their service? Are not all the benefices of the kingdom appropriated to their order? And all others thrust out of doors to make room for them? Must they feed with hecatombs every day, or else complain of short commons? Or is Mr. Jenkins of Mar. Crassus's mind, who would have no one accounted rich, unless he could maintain an army with his revenue? In what sense can he affirm the Presbyterian clergy to be under the cross? Are they under the cross who are scarce under the crown? who are carried by authority upon eagles'

wings: over whom the parliament itself rejoices to do good; heaping ordinance upon ordinance to advance both them and their livings together. But certainly there is something that Mr. Jenkins calls a cross which few men know by that name, but those who are baptized into the spirit of high presbytery; for the cross he speaks of is no other than this, that his orthodox brethren have not the power to do all the evil that is in their hearts against a quiet, peaceable, harmless generation of men, of whom they are jealous, lest they should take their kingdom from them. How can this writer say, that the Independent preachers meet with encouragement, and are under worldly glory? Does he account it matter of worldly glory, to be discountenanced by the state, to be declared incapable of those favours and privileges which other ministers in the land enjoy; to be sequestered from their livings, and to be thrust into holes and corners; to be represented both to the magistrate and people, as sectaries, schismatics, erroneous, heretical, factious, troublesome, dangerous to the state, and what not? If this be worldly glory, then may the preachers, against whom Mr. Jenkins writes, be truly said to be under worldly glory." Old Mr. Vicars and some others carried on the controversy, but their writings are not worth remembering; especially since the English Presbyterians of the present age have openly renounced and disavowed their principles.

To return to more public affairs. Hitherto the army had acted in perfect subordination to the parliament; but the war being over, and the king a prisoner, the great difficulty was to settle the nation upon such a foot as might content the several parties, or bring them at least to acquiesce; this was the rock upon which they split, and which in the end proved the ruin of their cause. To give light to this affair it will be proper to consider the separate views of the king, the parliament, and the army.

The royal party being broken, and the king a prisoner, his majesty had no prospect of recovering his throne but by dividing his enemies, in order to the making the best terms with them he could; the Presbyterians being in league with the Scots nation, were most numerous and powerful; but that which rendered their agreement with the king impracticable, was his majesty's zealous attachment to this point, that episcopal government was essential to Christianity, and

that he was bound by his coronation-oath to maintain it; whereas the others held themselves equally bound by their solemn league and covenant to abolish episcopacy, and establish presbytery in its room. Both parties were immovable, and therefore irreconcilable. His majesty's agreement with the army was more open and practicable, because they would have set aside the covenant, and obliged the parliament to tolerate episcopal government as well as the sectaries; but the king could never forgive those officers who had destroyed his armies, and driven him out of the field: though he dreaded their military valour, he had a very mean opinion of their politics, and therefore affected to play them against the parliament, hoping to take advantage of their divisions, and establish himself upon the ruins of both; for it was his majesty's maxim, which he did not scruple to avow, that neither party could subsist without him, and that those must be ruined whom he abandoned. By which unhappy principle he lost his interest, both in the parliament and army, and (as bishop Kennet observes) laid the foundation of his ruin.

The Presbyterians were no less unhappy in an imagination, that as the majority of the house of commons, with the city of London, and the whole Scots nation, were firmly attached to their interest, no opposition could stand before them, and therefore would abate nothing of their demands, nor hearken to any other terms of accommodation with the king, than those of the covenant, which were the entire abolishing of prelacy, and the establishing presbyterian uniformity throughout both kingdoms, with an absolute extirpation of all sectaries whatsoever. This was not only an effectual bar to their union with the king (as has been observed), but awakened the jealousy of the army, who were thoroughly convinced, that when the Presbyterians were in the legal possession of their demands, they would exercise equal tyranny over the consciences of men with the bishops; and indeed nothing less was to be expected, considering their steady adherence to the covenant in all their treaties, their efforts in parliament to get the power of the keys into their own hands, their frequent addresses for the suppressing all sectaries by the civil authority, and their declarations both from the pulpit and press, against toleration and liberty of conscience. In all their treaties with the king, even to that in the Isle of

Wight (except when the army was in possession of the cities of London and Westminster), this was one article of peace, "That an effectual course be taken by act of parliament, and all other ways needful or expedient, for suppressing the opinions of the Independents, and all other sectaries." To which his majesty had agreed in his private treaty with the Scots in the Isle of Wight, signed December 27, so that the army was left unsatisfied.

For although there were some few Presbyterians in the army, the greatest part consisted of Independents, Anabaptists, and men of unsettled principles in religion, who, for want of regular chaplains to their regiments, had used their own talents among themselves in religious exercises. The Scots treaty of the Isle of Wight says, the army was made up of Anti-Trinitarians, Arians, Socinians, Anti-Scripturists, Anabaptists, Antinomians, Arminians, Familists, Brownists, Separatists, Independents, Libertines, Seekers, &c.

Mr. Rapin, contrary to the testimony of all other writers, calls them all Independents, and represents the controversy between the parliament and them as a dispute, Whether Presbytery or Independency should be uppermost; whereas the grand controversy was, Presbytery with a toleration, or without one. The army consented that Presbytery should be the national religion, but insisted upon a toleration of all Christians in the enjoyment of all their civil and religious rights. This, says lord Clarendon, was their great charter, and till they had obtained it by a legal settlement, they agreed not to lay down their arms: they had fought the parliament's battles, and therefore thought it unreasonable to be told openly, if they could not comply with the Presbyterian settlement, they must expect to be punished as sectaries, and driven out of the land. To avoid this, they treated separately with the king, both before and after they had him in their hands; and when they apprehended he did not deal sincerely with them, they made proposals to the parliament to establish the Presbyterian discipline, with a toleration to all Protestants, without him; but when they found the Presbyterians, even in their last treaty with the king, in the year 1648, insisted upon the Presbyterian uniformity, without making the least provision for that liberty of conscience they had been contending for, they were exasperated and grew outrageous; they seized his majesty's person a second time

and having purged the house of commons in a most arbitrary manner, of all who were not disposed to their desperate measures, they blew up the whole constitution, and buried king, parliament, and presbytery, in its ruins. This was not in their original intention, nor the result of any set of religious principles they embraced, as Rapin insinuates, but was a violence resulting from despair, to which they had been driven by a series of disappointments, and a train of mistaken conduct in the royalists and Presbyterians.

We left the king the beginning of the spring at his house at Holmby, where he continued under an easy restraint from the 16th of February to the 4th of June following. The war being ended, the houses attempted to get rid of the army, by offering six months' pay, and six weeks' advance to as many as would go over to Ireland; and by voting, that the remainder should be disbanded, with an act of indemnity for all hostilities committed by them, in pursuance of the powers vested in them by parliament; but the army, being apprehensive that the Presbyterians would make peace with the king, upon the foot of covenant-uniformity, and without a toleration, resolved to secure this as a kind of preliminary point; for which purpose they chose a council of officers, and a committee of agitators, consisting of two inferior officers out of each regiment, to manage their affairs; these met in distinct bodies, like the two houses of parliament, and came to the following resolutions, which they sent to Westminster by three of their number, who delivered them in at the bar of the house: "That they would not disband without their arrears, nor without full provision for liberty of conscience; that they did not look upon themselves as a band of janizaries, but as volunteers, that had been fighting for the liberties of the nation, of which they were a part, and that they were resolved to see those ends secured."* It was moved in the house, that the messengers might be committed to the Tower; but, after a long debate, they were dismissed only with a reprimand for meddling in affairs of state, and for presuming to offer a petition to parliament without their general. Upon this the officers sent their petition by the general himself, but the parliament, instead of taking it into consideration, ordered, May 21, that all who would not list for the Irish service, should be immediately

* Rushworth, vol. 6. p. 485. 493. Rapin, vol. 2. p. 529, folio ed.

paid off and disbanded; upon which the officers, seeing the snare that was laid for them, bound themselves and the army by an engagement, May 29, not to disband till the grievances above mentioned were redressed. Whereupon the two houses ordered lieutenant-general Cromwell, who was then in town, and suspected to be at the head of these counsels, to be seized; but being advertised of the design, he made his escape to the army. They then voted the petition seditious, and all those traitors who had promoted it; and having sent a message to the general, to remove the army farther from London, they raised the city trained-bands, and determined to put an end to the power of the army by a speedy conclusion of peace with the king.

His majesty's answer to the propositions at Newcastle were read in the house May 18, in which "he agrees to settle the Presbyterian government for three years—to ratify the assembly of divines at Westminster, proposing a few of his own clergy to consider what government to settle afterward—he yields the militia for ten years—desires ministers of his own to satisfy him about the covenant—consents to the act against Papists—and to an act of oblivion—and desires to come to London, in order to give the parliament satisfaction upon the other articles." Two days after the lords voted, that the king be removed to his house at Oatlands, and that it be immediately fitted for his reception.

Things being come to this crisis, the agitators considered, that the king being the prize contended for, whoever had him in their power must be masters of the peace, and make their own terms; they therefore resolved, by the advice and direction of lieutenant-general Cromwell, to get possession of his majesty's person, which they accomplished by a bold stratagem, in the night of June 4, with very little opposition from his attendants or guards; cornet Joyce at the head of fifty resolute horse, having secured the avenues to Holmby-house, entered with two or three of his company, and going to the king's chamber, acquainted him with his design of carrying him to the army at Newmarket; his majesty being surprised at so unexpected a visit, and so late at night, asked for his commission, who pointed to his troops drawn up before the gates; his majesty answered, it was very legible; and finding it in vain to resist, con-

sented to go with the cornet next morning, on promise of safety to his person, and that he should not be forced to any thing against his conscience; the chief officers of the army met his majesty at Childerley, four miles from Cambridge, and were admitted to kiss his hand; from thence he was removed to Newmarket, where he took the diversion of the heath, had the liberty of four of his own chaplains to wait upon him, and was attended with all due ceremony and respect; Cromwell, being heard to say among his friends, that "now he had got the king into his hands he had the parliament in his pocket."*

The two houses received the news of the king's being carried off to the army with the utmost surprise and astonishment; the whole city was in confusion, and all persons within the lines of communication ordered to arms; the lobby at Westminster was thronged with the disbanded officers of the earl of Essex's army offering their service to the parliament; for every one imagined the army would be at the gates of the city in a few hours; when their panic was a little abated, commissioners were sent to the general, not to advance within forty miles of London; but being already at St. Alban's, the general promised not to march his army nearer without due notice;† and assured the two houses, that they would not oppose the presbyterial government, nor set up the Independent; but only insisted that some effectual course might be taken, that such who upon conscientious grounds differed from the establishment, might not be debarred from the common rights, liberties, or benefits, belonging equally to all, while they lived soberly and inoffensively towards others, and peaceably and faithfully towards the state.‡ June 10, another letter was sent to the lord-mayor, aldermen, and common-council, of London, signed by Fairfax, Cromwell, and twelve other officers, assuring them, "they intended no alteration of the civil government; nor to interrupt the settlement of presbytery; nor to introduce a licentious liberty, under colour of obtaining ease for tender consciences, but that when the state had made a settlement they would submit or suffer. They wished that every peaceable subject might have liberty and encouragement, for the obtaining which (say they) we are drawing

* Rushworth, p. 545. 549. ‡ Rapin, vol. 2. p. 530. folio ed.
† Rushworth, p. 546. 561. 589, &c. ‡ Rapin, vol. 2. p. 379. 531.

near the city.——We seek the good of all, and shall wait for a time to see if these things may be settled without us, and then we will embark for Ireland.——"*

The commons took no notice of these remonstrances, but declared in print, that his majesty was a prisoner, and barbarously used, because their commissioners could have no access to him, but in the presence of some officers; the army replied, "that all suggestions of that nature were absolutely false, and contrary to their principles, which are most clearly for a general right and just freedom to all men, and therefore upon this occasion they declare to the world, that they desire the same for the king, and others of his party, so far as can consist with common right and freedom, and with the security of the same for the future. And we do clearly profess (say they) that we do not see how there can be any peace to this kingdom firm or lasting, without a due provision for the rights, quiet, and immunity, of his majesty, his royal family, and his late partakers; and herein we think, that tender and equitable dealings (as supposing their cases had been ours), and a spirit of common love and justice diffusing itself to the good and preservation of all, will make the most glorious conquest over their hearts, to make them, and the whole people of the land, lasting friends."†

The leading members of the Presbyterian party in the house of commons could not contain themselves within any reasonable bounds at these proceedings; they said it was insufferable that the parliament, instead of treating with the king, should be obliged to treat with their own servants, and therefore advised raising a new army, and opposing force with force, till those who had the king in their custody should submit to their superiors, and deliver him back. On the other hand, the officers and agitators resolved to get rid of these resolute gentlemen, and therefore impeached eleven of the members of high treason, June 16, for obstructing the business of Ireland; for acting against the army and against the laws and liberties of the subject, &c. and desired they might be suspended from the house till they were legally acquitted;‡ their names were, Denzil Hollis, esq. sir Phil. Stapleton, sir William Lewis, sir John Clotworthy, sir William Waller, sir John Maynard,

* Rushworth, p. 554. † Ibid. p. 589, 590.
‡ Ibid. p. 570. 572. Rapin, vol. 2. p. 531.

major-general Massey, Mr. Glyn recorder, colonel Walter Long, colonel Edward Hartley, Anthony Nichols, esq. The commons not only rejected their impeachment, but ordered the king to be brought to Richmond, and that four full companies of the militia should guard the two houses. This quickened the resentments of the army, who sent the following proposals, among others, June 23, "——That the king's coming to Richmond be suspended;——that no place be appointed for his residence nearer London than the parliament will allow the quarters of the army;——that the impeached members be sequestered the house;——that the multitude of soldiers that flock together about the city be dispersed; and that no new forces be raised, nor any preparations made for a new war."* If these particulars are not complied with in a week's time, they declare they will march to London, and do themselves justice. The houses, being terrified with the approach of the army, agreed to content them for the present, in order to gain time; and the impeached members having desired leave to withdraw, retired first into the city, and after some time left the kingdom. The other requests of the army were also complied with; whereupon, after returning thanks to the houses, they retreated to Wickham, and appointed commissioners to settle all remaining differences with the parliament.†

But the city of London, by the influence of the impeached members, kindled into a flame; for the parliament, by an ordinance of May 4, having put the nomination of the officers of the militia into the hands of the common-council; these had discharged the old ones, and put in such as they could confide in for opposing the army, and establishing uniformity according to the covenant; the officers in order to defeat their design insisted, that the ordinance of May 4 be repealed, and the militia put into the hands of those who had conducted it during the course of the late war.‡ The houses, with much reluctance, consented to the repeal July 23, which alarmed the citizens, and occasioned those tumults which brought upon them the very mischiefs they were afraid of. Denzil Hollis, with the other impeached members who were retired into the city, prevailed with the common-council to oppose the repeal, and petition the house,

* Rushworth, p. 585. † Whitelocke, p. 264. Rapin, vol. 2. p. 532.
‡ Rapin, vol. 2. p. 533.

that the ordinance of May 4 might remain in full force. At the same time some citizens met at Skinner's-hall, and subscribed a solemn engagement to endeavour with the hazard of their lives to procure "a personal treaty with the king; ——that he might return to his two houses with honour and safety;——that his majesty's concessions of May 11 might be confirmed, and the militia continue in the hands of the present committee."* How vain was all this bustle, when they knew the king was in the custody of those who would pay no regard to their demands. The houses indeed forbade the signing of the engagement by sound of trumpet; but such was the misguided zeal of the citizens, that they held assemblies, enlisted soldiers, and gave them orders to be ready on the first notice.

The parliament was now in great perplexity, considering the impossibility of contenting the Presbyterians and the army at the same time; while the citizens, resolved to carry their point by one method or another, went up to Westminster July 26, with such a number of apprentices and young men, as terrified the houses by their tumultuous and insolent behaviour; for they would scarce suffer the door to be shut; some thrust themselves into the house with their hats on, crying out, Vote, vote; and when the speaker would have left the chair to put an end to the confusion, they obliged him to return, till the militia was settled to their mind, and the king voted to come to London.† This, says Mr. Baxter, looked like a force upon the parliament; and indeed both houses were so terrified and pressed between the city Presbyterians on one side, and the army on the other, that they adjourned immediately from Monday to Friday, in which interval the earl of Manchester, speaker of the house of lords, with eight peers and the speaker of the house of commons, with about a hundred members,‡ withdrew privately from the city, and joined the army;—a surprising event in their favour! The officers received them with the utmost satisfaction and transport, paying them all imaginable honours, and assuring them, that they would re-establish them in their full power, or die in the attempt. There must surely have been some very pressing reasons

* Rushworth, p. 637. Rapin, vol. 2. p. 533, 534.

† Rushworth, p. 642. Rapin, vol. 2. p. 534.

‡ Dr. Zach. Grey says there was but fifty nine, but I do not know his authority. —Ed.

for this conduct,* otherwise so many zealous Presbyterians, as were most of the members who quitted the parliament-house, would not have had recourse to the protection of the army. Lord Clarendon believes, that they apprehended the army designed to restore the king to all his rights at this time, and that they were willing to avoid his majesty's vengeance, by concurring with them in his restoration, which is not unlikely, if they could have brought him to their terms.

However, the Presbyterian members that remained in London assembled on Friday according to adjournment, and having chosen a new speaker, voted that the king should come to London;—that the eleven impeached members should be restored;—that a committee of safety should join the city-militia;—and that forces should be immediately raised under the command of Waller, Massey, and Poyntz; in all which they appeared so resolute, that no man could imagine but either that they had the king at their disposal, or intended a brave and valiant defence of the city.† The common-council gave orders for the trained-bands to repair to the works, and for all capable of bearing arms to appear at the places of rendezvous. Massey, Waller, and Poyntz, were also busy in forming regiments and companies; and the committee of the militia were empowered to punish such as did not repair to their colours. At the same time they wrote to their brethren in Scotland, to return with their army immediately to their assistance; but, alas! they were at too great a distance; however, they published a declaration in the name of the kirk and whole kingdom, August 13, wherein they engage, by a solemn

* Rapin, as well as Mr. Neal, expresses his surprise at this secession of these members of parliament: he supposes, that it proceeded from a disapprobation of the measures pursued by their brethren and the common-council of London; and from an apprehension, that they would be infallibly oppressed by the army. By joining the army they sought their security from the ruin which threatened their own party; and, says Mr. Hume, "paid their court in time to that authority, which began to predominate in the nation." What Whitelocke reports concerning the reason which the earls of Warwick, Manchester, &c. assigned for their conduct, appears to have escaped the attention of these writers. He says, that they sent to the general to acquaint him, "that they had quitted the parliament, for that there was no free-sitting for them, and they cast themselves into his protection." Memorials, p. 265. Dr. Grey, in his Appendix, no. 72, has confirmed this account of the matter, by giving at length their letter to sir Thomas Fairfax, signed by the speaker of the house of lords and eight peers, and by the speaker and fifty-eight of the commons. Mr. Neal, and since him Mrs. Macaulay, says, a hundred commoners seceded. All, probably, did not sign the letter. Dr. Grey is rather severe here upon our author.—Ed.

† Rapin, vol. 2. p. 399. 554. Rushworth, p. 737.

oath, to establish the Presbyterian government in England;—to redeem his majesty out of the hands of schismatics, and place him at the head of his parliament with honour;—to vindicate the honour of the eleven impeached members, and to settle the privileges of parliament against the overawing power of the army. A little after they declared against toleration and liberty of conscience, resolving to the last man to stand by the covenant, whatever the English parliament might submit to.

Pursuant to the order of the two houses, the general had removed his head-quarters above forty miles from the city, till, upon the representation of the members, who fled to them for protection from the outrageous violence of the city-mob, they resolved to push their advantage, and bring the mutineers to justice; accordingly they resolved to march to London, and rendezvous the whole army on Hounslow-heath, August 3, to the number of twenty thousand men, with a suitable train of artillery, accompanied with fourteen peers, and about one hundred members of the house of commons.* The citizens were no sooner informed of this, than their courage sunk at once, and, instead of defending the city, they ordered the militia to retire from the lines, and sent their submission to the general, promising to open their passes, and give all assistance to the replacing of those members who had withdrawn to the army. August 6, being appointed for this service, the mayor and aldermen met the general at Hyde-park with a present of a gold cup, beseeching him to excuse what had been amiss; but his excellency refused the present, and having dismissed them with very little ceremony, conducted the members to their seats in parliament, who immediately voted all proceedings in their absence void, and gave thanks to the army for their safe conduct.† Next day the army marched through the city without any disorder, and constituted colonel Titchburn lieutenant of the Tower, contrary to the request of the lord-mayor and citizens; the militia was changed, and put into the hands of the old officers who had conducted it before; the fortifications and lines of circumvallation about the city were levelled, and sundry peers, who had been at the head of the late tumults, were impeached of high treason, as the earl of Suffolk, Middlesex, Lincoln, lord Wil-

* Rushworth, p. 745. 750. † Ibid. p. 751. 756.

loughby of Parham, Hudson, &c.; the lord-mayor and some of the principal citizens were sent to the Tower; and it was resolved to purge the house of all who had been active in the late unhappy riot; which put a full period to the Presbyterian power for the present; and the army being quartered near the city all the next winter, there was a council of officers at their head-quarters at Putney, whose debates and resolutions had, no doubt, a very powerful influence upon the resolutions of the two houses.

The odium of this grand revolution, by which the army became masters of the city of London, and of the parliament itself, fell chiefly on the Presbyterians themselves, whose intemperate zeal for covenant-uniformity carried them to very impolitic excesses. The sermons of their ministers were filled with invective against the army while at a distance; in their public prayers they entreated the Almighty to incline the hearts of the Scots to return to their relief; and the conversation of their people was riotous and disorderly; however, lest the weight of this revolution should fall too heavily on the London ministers,* as the chief incendiaries of the people, they wisely prepared a vindication of themselves, and published it four days before the army entered the city; it was dated from Sion-college, August 2, 1647, and is to this purpose:

"We the ministers of London, whose names are subscribed, do profess, in the presence of the Searcher of all hearts,

1. "That we have never done any thing purposely and wittingly to engage the city against the army, or the army against the city, but have sincerely and faithfully endeavoured to prevent it.

2. "That seeing both the parliament and city have declared the necessity of putting the city into a present posture of defence, yet protesting against any desires of a new war, and thereupon have called upon us to stir up the people to prepare for their defence; we accordingly have done and shall do our duty therein, that the people may be encouraged to their own just and necessary preservation.

3. "But withal, we profess our abhorrence of the shed-

* The assembly of divines also, Dr. Grey informs us, presented a petition for peace: which he has preserved, from the MSS. of Dr. Williams, no. 74 of his Appendix.—Ed.

ding any blood on either side; and we humbly pray all whom it may concern, that they will be very careful in preventing it by a seasonable treaty."

Signed by about twenty of the London ministers, and presented to a committee of both houses, sitting at Guildhall.

Let the reader now pause a little, and judge of the authors of this grand revolution, which brought the parliament under the power of the army, and how far the Presbyterian ministers were concerned in it. Mr. Baxter, in a very angry style, lays all the blame at the door of the Independents. "A few dissenting members of the Westminster synod (says he) began all this, and carried it far on. Afterward they increased, and others joined them, who partly by stiffness, and partly by policy, increased our flames, and kept open our wounds, as if there had been none but they considerable in the world; and having an army, and city-agents fit to second them, effectually hindered all remedy, till they had dashed all into pieces as a broken glass. One would have thought, that if all their opinions had been certainly true, and their church-order good, yet the interest of Christ and the souls of men, and of greater truths, should have been so regarded by the dividers in England, as that the safety of all these should have been preferred, and not all ruined, rather than their way should want its carnal arm and liberty; and that they should not tear the government of Christ all to pieces rather than it should want their lace."* I am far from clearing the Independents from all manner of blame in their conduct; their principles might be too narrow and mistaken in some points, and their zeal for Christian liberty betray them into some imprudences. But on which side was the stiffness? on theirs who only desired a peaceable toleration; or, on theirs who were determined to make the whole nation stoop to Presbyterian uniformity? Were *not these* the men who kept open the church's wounds? Had their discipline been ever so good, yet certainly they might have had some regard to men of piety and virtue, who had not equal discernment with themselves; could they not be content with being the established religion, and having most of the livings of the kingdom divided among them, without trampling on the re-

* Abridg. p. 97.

ligious rights of mankind, by enforcing an absolute uniformity, which can never be maintained but on the ruins of a good conscience, and therefore is no means of promoting the true interest of Christ and salvation of souls? Mr. Baxter had milder sentiments in his latter days; and it is for the honour of the present generation of those commonly called Presbyterians, that they have not only abandoned and renounced these servile doctrines,* but have appeared in defence of the civil and religious liberties of mankind, upon the most solid and generous principles.

His majesty was obliged all this time to attend the removes of the army: from Newmarket he came to Royston, June 24; from thence to Hatfield; from thence to Windsor, and two days after to Caversham, where he had the pleasure of conversing with his children. But when the city of London threatened a new war, his majesty was removed to a greater distance; about the middle of July he was at Maidenhead; and towards the end of the month at Latimer's in Buckinghamshire; when the army had got possession of the city they brought his majesty back to Oatlands, August 14, and two days after to Hampton-court, where he appeared in state and splendour about three months, being attended by the proper officers of the court, and a vast resort of people both from city and country.

While the king was with the army, lieutenant-general

* "To know whether the Presbyterians have indeed abandoned their persecuting principles (says bishop Warburton), we should see them under an establishment. It is no wonder, that a tolerated sect should espouse those principles of Christian liberty which support their toleration. Now the Scottish Presbyterians are established, and we find they still adhere to the old principle of intolerance." His lordship's reflections are too well founded in fact and experience. The recent prosecution of Dr. M'Gill for his valuable and guarded Essay on the Death of Christ, may be adduced as a new proof of the intolerance of Scotch Presbyterianism. But, strictly speaking, Presbyterianism hath no existence amongst the English dissenters; who form so many Independent societies. The name is, indeed, applied to one part of them; but they are invested with no power but what arises from the management of a fund for the assistance of small congregations. This they are known to direct on a truly liberal plan, without demanding subscription to any articles, or making any inquisition into the sentiments, on doctrine or discipline, of the ministers or churches to whom they grant exhibitions. And the writings of those who have been called Presbyterians, the bishop could not but know, were most able vindications of the principles of liberty. In this cause did a Browne, an Evans, a Grosvenor, a Chandler, and many others, argue and plead. His lordship's argument, I would add, applies to an extent to which it is conceived he did not wish to have it carried: it more than implies, that toleration and an establishment are incompatible; that when once the tolerated are possessed of power they of course become intolerant. If so, an establishment cannot exist without being inimical to the interests of truth and the rights of conscience. Could a severer reflection be passed on establishments, than is here conveyed by an episcopal pen?—Ed.

Cromwell and Ireton took sundry opportunities to confer with his majesty privately about his restoration. They offered to set him upon the throne with the freedom of his conscience upon point of episcopacy, or lose their lives in the attempt, if he would consent to their proposals to the parliament, and bestow some particular preferments on themselves and a few of their friends, wishing that God would deal with them and their families according to their sincerity.* Nay, they engaged to indemnify his whole party, if they would be quiet.† Sir J. Berkley, the king's agent, entreated his majesty in the most importunate and submissive manner, considering the state of his affairs, to accept of the said proposals, but the king treated them with a haughty reserve, and said, if they intended an accommodation they would not impose such conditions upon him. Sir J. Berkley said, he should suspect they designed to abuse him if they had demanded less; and that a crown so near lost was never recovered on easier terms. But Mr. Ashburnham, who came with instructions from France, fell in with the king's humour, and encouraged him to stand his ground, relying upon an ill-judged maxim which his majesty had imbibed, and which his best friends could not make him depart from, viz. that it was in his power to turn the scale, and that the party must sink which he abandoned.‡ This sealed his ruin, and made him play between both, till neither would trust him. When the parliament brought their propositions, he put them in mind of the offers of the army; and when the proposals of the latter were tendered in the most respectful manner, he put on a frown, and said, "I shall see you glad, ere long, to accept more equal terms; you cannot be without me; you will fall to ruin if I do not sustain you; no man shall suffer for my sake; the church must be established according to law—." The officers were confounded at this language. "Sir (says sir J. Berkley), you speak as if you had some secret strength, which, since you have concealed from me, I wish you had concealed from these men."§ After divers conferences of this kind to no purpose, Cromwell told him plainly, "Sir, we perceive you

* Dr. Grey fills, here, four pages with authorities to prove the insincerity and hypocrisy of Cromwell and Ireton: by which nothing that Mr. Neal had advanced above is invalidated.—Ed.

† Dugdale's Troubles of England, p. 264.

‡ Rushworth, p. 807. 810.

§ History of the Stuarts, p. 330.

have a design to be arbitrator between the parliament and us; but we now design to be the same between your majesty and the parliament." This fluctuating temper (says bishop Kennet) was the king's ruin, which he repented of when it was too late. Mr. Whitelocke says, the king's bishops persuaded him against what he was inclined to in his own judgment, and thereby ruined him and themselves.*

When the officers found they could make no impression on the king, and had discovered his secret correspondence with the queen, they withdrew from court, which raised suspicions in his majesty's mind of a secret design against his life, and put him on attempting to escape out of their hands. It is very certain that Cromwell withdrew his parole of honour for the king's safety, and sent him word, a few days before he left Hampton-court, that he would not be answerable any longer for what might befal him, which was owing to a discovery he had made of the king's insincerity in treating with him. Mr. Coke says, there was a report at that time, and he is confident that in time it will appear, that in the army's treaty with the king, Cromwell had made a private article of advantage for himself,† but his majesty not allowing himself to conclude any thing without the queen, wrote her word, "that if he consented to those proposals, it would be easier to take off Cromwell afterward, than now he was at the head of the army."‡ Which letter Cromwell intercepted. Bishop Kennet says, "that it was reported, that Cromwell was to have 10,000*l.* and a garter; and that the bargain had certainly taken effect, if the king had not made an apology to the queen, and sufficiently implied that he did it by constraint, and that when he was at liberty, and in power, he should think himself discharged from the obligation. This letter was sewed up in the skirt of a saddle to be sent to France; but Cromwell and Ireton, having information of it, went to an inn in Holborn, and seized the letter——." Dr. Lane of the commons frequently declared, "that he had seen this original letter, that he knew it to be the king's own hand, and that the contents were as above." Another writer says, that the letter mentioned his majesty's being courted by the Scots Presbyterians as well as the army, and that they that bid fairest

* Memorials, p. 271. † Detect. p. 323.
‡ Complete History, p. 270.

for him should have him.* Upon the discovery of this letter, Cromwell went to Mr. Ashburnham who attended the king's person, and told him, that he was now satisfied the king could not be trusted; that he had no confidence in the army, but was jealous of them and their officers—that he had treaties with the city Presbyterians, and with the Scots commissioners, to engage the nation again in blood, and that therefore he could not be answerable if any thing fell out contrary to expectation. Sir Richard Baker, Mr. Coke, and others, are of opinion, that till this time Cromwell and Ireton were hearty and zealous for restoring the king, and opposing the levellers who began to arise in the army, but that after this discovery they forsook him, as did the rest of the chief officers, who seldom came to court: the guards also changed their language, and said that God had hardened the king's heart, and blinded his eyes.

Under these circumstances the infatuated king left Hampton-court, November 11, at night, and having crossed the Thames, took horse in company with sir J. Berkley, Mr. Leg, and Mr. Ashburnham, and next morning arrived at Titchfield-house, where he stayed while Leg went over to the Isle of Wight, to treat with colonel Hammond the governor about the safety of his person, who, without any treaty, brought the governor to the house where his majesty was, upon which the king said, he was betrayed; as indeed he was in all his affairs.† Hammond carried him over to the Isle November 13, and after some time shut him up in Carisbrook-castle, where his majesty remained almost a year with one or two servants only, having little conversation with the world, and time sufficient to contemplate on the uncertainty of all human affairs, and on the miserable circumstances to which Divine Providence had suffered his own imprudent conduct to reduce him.

Let us now attend to the projects of the several parties for restoring the public tranquillity: as soon as the army had got possession of the city of London, they made the following proposals to the two houses. With regard to religion; "That an act be passed to take away all coercive power and jurisdiction of bishops extending to any civil penalties upon any.—That there be a repeal of all acts, or clauses of acts, enjoining the use of the Common Prayer,

* History of the Stuarts, p. 390. † Rushworth, p. 920. 960.

and imposing any penalty for neglect thereof, and for not coming to church, or for meeting elsewhere.—That the taking of the covenant be not enforced upon any, but that all orders and ordinances tending to that purpose be repealed." With regard to the state, "—That the militia and great officers be disposed of by parliament for ten years, and after that the houses to nominate three, out of which the king to choose one.—That there be acts of indemnity and revocation of all declarations against the proceedings of parliament.—That the present unequal and troublesome and contentious way of ministers' maintenance by tithes be considered of, and some remedy applied.—That none may be obliged to accuse themselves or relations in criminal causes; and no man's life taken away under two witnesses.—That consideration be had of all statutes, laws, or customs of corporations, imposing any oaths tending to molest or ensnare religious and peaceable people merely for nonconformity in religion.—That the arbitrary power given to committees, and deputy-lieutenants, be recalled."*

After several debates upon these proposals with regard to religion, the lords agreed October 13, "that the king be desired to give his consent to the settling the presbyterial government for three years, with a provision, that no person shall be liable to any penalty for nonconformity to the said government, or form of divine service; but such persons shall have liberty to meet for the service and worship of God, and for exercise of religious duties and ordinances in any fit and convenient places, so as nothing be done by them to the disturbance of the peace of the kingdom. Provided this shall not be construed to extend to a toleration of the Popish religion, nor to exempt Popish recusants from any penalties imposed upon them for the exercise of the same. Nor shall it extend to the toleration of any thing contrary to the principles of the Christian religion, contained in the Apostles' creed, as it is expounded in the fifteen first articles of the church of England, as they had been cleared and vindicated by the assembly of divines now sitting at Westminster; nor of any thing contrary to such points of faith, for the ignorance whereof men are to be kept from the sacrament, according to the ordinance of October

* Rushworth, p. 736. Rapin, vol. 2. p. 538, 539.

20, 1645. Nor shall it extend to excuse any persons from the penalties of 1 Elizabeth, cap. 2, for not coming to hear the word of God on the Lord's day in any parish-church or chapel, unless he can shew a reasonable cause for his absence, or that he was present to hear the word of God preached or expounded elsewhere."*

The commons likewise agreed, "that presbytery be established till the end of the next sessions of parliament, or till the second sessions; that the tenths, and all other maintenance belonging to any church or chapel, shall be only for the use of them who can submit to the presbyterial government, and none other. The liberty of conscience shall extend to none who shall print, preach, or publish, contrary to the first fifteen articles of the thirty-nine, except the eighth, relating to the three creeds. That nothing contained in this ordinance shall extend to Popish recusants."† October 14, they agreed farther, "that such tender consciences should be freed, by way of indulgence, from the penalty of the statute for the Presbyterian government, for their nonconformity, who do meet in some other congregation for the worship of God on the Lord's day, and do nothing against the laws and peace of the kingdom, and that none others shall be freed from the penalty of the statute of 1 Eliz. cap. 2." October 16, the commons voted, "that the indulgence granted to tender consciences should not extend to tolerate the use of common prayer in any part of the kingdom."‡ Which was against the sense of the army, who were for a general indulgence, as appears from the declaration of the agitators, dated November 1, in which they say, that "matters of religion and the ways of God's worship, are not at all intrusted by us to any human power, because therein we cannot omit or exceed a tittle of what our consciences dictate to be the mind of God, without wilful sin; nevertheless, the public way of instructing the nation, so it be not compulsive, is left to their discretion,"§ Here was a fair plan of accommodation, but no ordinance was brought into the house to confirm these resolutions. November 8, both houses agreed to the addition of some new propositions. As,

1. "For the due observation of the Lord's day.
2. "Against innovations in religion.

* Rushworth, p. 840. † Ibid. p. 841. ‡ Ibid. p. 842. § Ibid p. 160.

3. "A new oath for the conviction of Papists.

4. "For the education of the children of Papists in the Protestant religion.

5. "Against pluralities."

The proposals of the Presbyterians were the same with those of Newcastle already mentioned; but whereas the king declined to accept them without a personal treaty, they determined in the house of commons, to reduce them into four bills, which if his majesty refused to sign as preliminaries, they resolved to settle the nation without him; but before they were perfected, the king withdrew from Hampton-court, and was secured in the Isle of Wight, where the commissioners from the two houses waited on him, and tendered him the following bills, December 24, the first was for settling the militia, as has been related; the second, for calling in all his majesty's declarations and proclamations against the two houses, and those that adhered to them; the third, to disqualify those peers from sitting in the house, that had been created after the great seal had been conveyed to Oxford; the fourth, to empower the two houses to adjourn, as they should think fit. In matters of religion they insisted peremptorily on the establishment of the Presbyterian church-government upon the ruins of the prelatical: upon the extirpation of all sectaries; and upon covenant-uniformity in both nations, as will appear more fully hereafter. But the king, instead of signing the preliminaries, insisted strenuously on a personal treaty, which it was hardly reasonable for him to expect, when he had so lately attempted to escape out of their hands, and now refused to yield any thing in a way of condescension.

It had not been possible to unriddle the mystery of this escape, if it had not appeared soon after, that the king was at that very time throwing himself into the hands of the Scots, who being offended with the parliament (now under the influence of the army) for not acting in concert with them in the present treaty, according to their covenant, determined on a separate negotiation for themselves; and accordingly, by the mediation of some of their own nation, they concluded a secret treaty with the king, which was began before his majesty left Hampton-court, but not signed till the 27th of December following, three days after his majesty's refusal of the parliament's four bills. "This

alliance (says lord Clarendon*) was most scandalous, and derogatory to the honour and interest of the English nation, and would have been abominated if known and understood by all men." But Rapin thinks it not so criminal on the part of the Scots as his lordship represents, since they yielded to the establishment of their beloved presbytery in England only for three years; however, it laid the foundation of the king's ruin with the army.

In the preamble his majesty gives "a favourable testimony to the solemn league and covenant, and to the good intentions of those that entered into it." In the treaty "he obliges himself to confirm the covenant by act of parliament as soon as he can do it with honour and freedom in both kingdoms; with a proviso, that none that were unwilling should be obliged to take it for the future. He engages farther, to confirm by act of parliament the presbyterial government in England, the Directory for public worship, and the assembly of divines, for three years only, with liberty for himself and his household to use that form of divine service they had formerly practised; and that during the three years there should be a consultation with the assembly of divines, to whom twenty of the king's nomination should be added, and some from the church of Scotland, to determine what form of church-government should be established afterward."†—Then follows a scourge for the army; "That an effectual course should be taken to suppress the opinions of the Anti-Trinitarians, Arians, Socinians, Arminians, Independents, Brownists, Antinomians, Anabaptists, Separatists, Seekers; and in general, all blasphemy, heresy, schism, and other doctrines contrary to the known principles of Christianity, whether concerning faith, worship, conversation, or the power of godliness, or which may be destructive to order and government, or to the peace of the church and kingdom."

In return for these concessions "the Scots engaged to raise an army to deliver his majesty out of captivity, to assert his right to the militia, the great seal, the negative voice in parliament; and in a word, to restore him to his throne with honour and freedom;" which occasioned a second civil war the next year.

As soon as his majesty arrived in the Isle of Wight from

* Vol. 3. p. 103. † Rapin, vol. 2. p. 513, 544.

Hampton-court, he sent a letter to the speaker of the house of lords, to be communicated to the commons, with the following concessions on his part, very inconsistent with the treaty last mentioned.—"For the abolishing archbishops, bishops, &c. his majesty clearly professeth, that he cannot consent to it either as a Christian or a king; for the first he avows, that he is satisfied in his judgment, that this order was placed in the church by the apostles themselves, and ever since their time has continued in all Christian churches thoughout the world till this last century; and in this church, in all times of change and reformation, it has been upheld, by the wisdom of his ancestors, as the great preserver of doctrine, discipline, and order, in the service of God. As a king, at his coronation he not only swore to maintain this order, but his majesty and his predecessors, in their confirmations of the great charter, have inseparably woven the rights of the church into the liberty of the subject; and yet he is willing that it be provided, that particular bishops perform the several duties of their callings, both by their personal residence, and frequent preaching; that in their personal exercise no act of jurisdiction or ordination be without consent of their presbyters; and will consent, that in all things their powers be so limited, that they may not be grievous to the tender consciences of others; his majesty sees no reason why he alone, and those of his judgment, should be pressed to a violation of theirs.

"Nor can his majesty consent to the alienation of church-lands, because it cannot be denied to be the sin of sacrilege; as also, that it subverts the intentions of so many pious donors, who have laid a heavy curse upon all such profane violations. And besides, his majesty believes it to be a prejudice to the public good; many of his subjects having the benefit of renewing leases at much easier rates, than if those possessions were in the hands of private men; not omitting the discouragement it will be to learning and industry, when such eminent rewards shall be taken away; yet considering the present distempers concerning church-discipline, and that the Presbyterian government is now in practice, his majesty to avoid confusion as much as may be, and for the satisfaction of his two houses, is content, that the same government be legally permitted to stand in the same condition it now is for three years, provided that his

majesty, and those of his judgment, or any others who cannot in conscience submit thereunto, be not obliged to comply with the Presbyterial government, but have free practice of our own profession, without any prejudice thereby; and that free consultation be had with the divines at Westminster, twenty of his majesty's nomination being added to them, to consider how to settle the church afterward, with full liberty to all those who shall differ upon conscientious grounds from that settlement; always provided, that nothing aforesaid be understood to tolerate those of the Popish profession, or exempt them from penal laws, or to tolerate the public profession of atheism or blasphemy, contrary to the doctrine of the apostles, the Nicene and Athanasian creeds; they having been received by, and had in reverence of, all Christian churches, and more especially the church of England since the Reformation."* This was inserted to cajole the army, and was entirely reversed by the Scots treaty five weeks after.

From these inconsistent views of the contending parties, we may easily discern the precarious situation of the public tranquillity, especially as there was a general distrust on all sides, and each party resolved to carry their point without any abatements: the king was held by ties of conscience and honour (as he said) to preserve episcopacy; the Scots and English Presbyterians, though divided at present, thought themselves equally bound to stand by their solemn league and covenant; and the army was under a solemn engagement to agree with neither without a toleration. If the king could have submitted to covenant-uniformity, he might have been restored by the Presbyterians; or, if either king or parliament would have declared heartily for a toleration, they might have established themselves by the assistance of the military power; but his majesty seems to have been playing an unsteady if not a double game. The reader will judge of the equity of the several proposals, and of the prudential conduct of each party, from the respective circumstances in which they stood; the king was a prisoner; the parliament in possession of the whole legislative authority; but the sword was in the hands of the army, who were determined not to sheathe it till they had secured to themselves that liberty for which they had been fighting: this

* Rushworth, p. 880. Rapin, vol. 2. p. 541.

they had in vain solicited from the king, and were next determined to try their interest with the parliament.

The houses being informed of the king's design to make his escape out of the Isle of Wight, ordered the governor to put away his servants, and confine him a close prisoner in the castle, so that no person might be admitted to speak to him without leave. His majesty having also declared, when he rejected the parliament's four bills, that nothing which could befal him could ever prevail with him to consent to any one act, till the conditions of the whole peace were concluded, they began to despair of an accommodation. In this juncture the officers of the army sent a message to the houses, assuring them, that they would live and die with them in settling the nation either with or without the king, and leave all transactions of state for the future to them alone.*

However, after the seclusion of the eleven impeached members, and the quartering the army in the neighbourhood of the city, the parliament, either from interest or fear, had a great regard to the opinion of those officers who were members of the house. Upon a motion that no more addresses be made to the king from the parliament, nor any messages received from him, Ireton and Cromwell opened themselves very freely: Ireton said, "Subjection to the king was but in lieu of protection from him, which being denied, we may settle the kingdom without him. Let us then shew our resolution (says he), and not desert those valiant men who have engaged for us beyond all possibility of retreat." Cromwell said, "that the parliament should govern by their own power, and not teach the people any longer to expect safety from an obstinate man, whose heart God had hardened.——The army will defend you against all opposition. Teach them not, by neglecting yours and the kingdom's safety, in which their own is involved, to think themselves betrayed, and left hereafter to the rage and malice of an irreconcilable enemy, whom they have subdued for your sake, lest despair teach them to seek their safety by some other means than adhering to you [here he put his hand to his sword]; and how destructive such a resolution will be (says he) I tremble to think, and leave you to judge!" The question being then put, it was carried by a majority of

* Rushworth, p. 951. 953. 962. Rapin, vol. 2. p. 545.

fifty voices; yeas one hundred and forty-one, noes ninety-one. January 17, the lords concurred with the commons in their votes of non-addresses. Till this very time, says lord Clarendon, no man mentioned the king's person without duty and respect. But now a new scene was opened, and some of their officers at their meetings at Windsor, began to talk of deposing the king, or prosecuting him as a criminal, of which his majesty was advertised by Watson the quarter-master, but it made no impression upon him.

The two houses having concurred in their votes for non-addresses, the army agreed to stand by the parliament in settling the nation without the king; and that the people might be satisfied with the reasons of their proceedings, a remonstrance was published by order of parliament, February 15, in which they recapitulate all the errors of his majesty's government; his insincerity in the several treaties of peace he had entered into with them; and that though they had applied to him seven times with propositions, in all which the Scots had concurred except the last, yet he had never complied with any; from whence they conclude, either that the nation must continue under the present distractions, or they must settle it without him. In the posthumous works of lord Clarendon,* there is a large reply to this remonstrance, in which his lordship endeavours to vindicate the king and throw all the blame upon the parliament; but though there were ill instruments on both sides, and there might be no real occasion to rip up the misdemeanours of the king's government from the beginning, yet it is hardly possible for the art of man to justify his majesty's conduct before the war, or to vindicate his prudence and sincerity in his treaties afterward; the design of commencing a new war being evidently at this time concerted and agreed upon, with his majesty's allowance, in pursuance of the Scots treaty, while he was amusing both the parliament and army with overtures of peace.

Among the ordinances that passed this year for reformation of the church, none occasioned so much noise and disturbance as that of June 8, for abolishing the observation of saints' days, and the three grand festivals, of Christmas, Easter, and Whitsuntide; the ordinance says, "Forasmuch as the feast of the nativity of Christ, Easter, Whitsuntide,

* Vol. 3. p. 92, 93.

and other festivals, commonly called holy-days, have been heretofore superstitiously used and observed; be it ordained, that the said feasts, and all other festivals, commonly called holy-days, be no longer observed as festivals; any law, statute, custom, constitution, or canon, to the contrary in anywise notwithstanding.*

"And that there may be a convenient time allotted for scholars, apprentices, and other servants, for their recreation, be it ordained, that all scholars, apprentices, and other servants, shall, with the leave of their masters, have such convenient reasonable recreation, and relaxation from labour, every second Tuesday in the month throughout the year, as formerly they used to have upon the festivals; and masters of scholars, apprentices, and servants, shall grant to them respectively such time for their recreation, on the aforesaid second Tuesday in the month, as they may conveniently spare from their extraordinary necessary service and occasions; and if any difference arise between masters and servants concerning the liberty hereby granted, the next justice of peace shall reconcile it."

The king was highly displeased with this ordinance; and therefore while the affair was under debate, he put this query to the parliament-commissioners at Holmby-house, April 23, 1647. I desire to be resolved of this question, Why the new reformers discharge the keeping of Easter? My reason for this query is, "I conceive the celebration of this feast was instituted by the same authority which changed the Jewish sabbath into the Lord's day or Sunday, for it will not be found in Scripture where Saturday is discharged to be kept, or turned into the Sunday; wherefore it must be the church's authority that changed the one and instituted the other; therefore my opinion is, that those who will not keep this feast may as well return to the observation of Saturday, and refuse the weekly Sunday. When any body can shew me that herein I am in an error, I shall not be ashamed to confess and amend it; till when you know my mind.† C. R."

Sir James Harrington presented his majesty with an answer to this query, in which he denies, that the change of the sabbath was from the authority of the church, but derives it from the authority and example of our Saviour and

* Scobel, p. 128. † Relig. Car. p. 370.

his apostles in the New Testament; he admits, that if there was the like mention of the observation of Easter, it would be of divine or apostolical authority; but as the case stands, he apprehends with great reason, that the observation of the Christian sabbath, and of Easter, stands upon a very different foot.

The changing the festival of Christmas into a fast last winter, was not so much taken notice of, because all parties were employed in acts of devotion; but when it returned this year there appeared a strong propensity in the people to observe it, the shops were generally shut, many Presbyterian ministers preached; in some places the common-prayer was read, and one or two of the sequestered clergy getting into pulpits prayed publicly for the bishops; several of the citizens of London, who opened their shops, were abused; in some places there were riots and insurrections, especially in Canterbury, where the mayor, endeavouring to keep the peace, had his head broke by the populace, and was dragged about the streets; the mob broke into divers houses of the most religious in the town, broke their windows, abused their persons, and threw their goods into the streets, because they exposed them to sale on Christmas-day.* At length their numbers being increased to above two thousand, they put themselves into a posture of defence against the magistrates, kept guard, stopped passes, examined passengers, and seized the magazine and arms in the town-hall, and were not dispersed without difficulty. The like disorders were at Ealing in Middlesex, and in several other counties. The parliament was alarmed at these disorders, and therefore commanded all Papists and delinquent clergymen to retire without the lines of communication, and punished some of the principal rioters as a terror to the rest, it being apparent that the king's party took advantage of the holy-days to try the temper of the people in favour of his release, for during the space of the following twelve years, wherein the festivals were laid aside, there was not the least tumult on account of the holidays, the observation of Christmas being left as a matter of indifference.

The war being thought to be at an end, many of the clergy who had followed the camp returned home, and endeavoured to repossess themselves of their sequestered liv-

* Rushworth, p. 948.

ings, to the prejudice of those whom the parliament had put into their places; they petitioned the king while he was with the army, and in a state of honour and dignity, to take their poor distressed condition into his gracious consideration. His majesty recommended them to the general, at the very time when the difference between the parliament and army was subsisting, upon which they represented their grievances to him in a petition, shewing, that "whereas for divers years they had been outed of their livings, contrary to the fundamental laws of the land, by the arbitrary power of committees, whose proceedings have usually been by no rule of law, but by their own wills; most of them having been turned out for refusing the covenant, or adhering to the king, and the religion established, and of those, divers never called to answer, and scarce one had articles proved by oath, or other legal process; by which means your petitioners are reduced to extreme want and misery; and whereas those who are put into our places labour to stir up the people to involve the kingdom in a new war, and are generally men ignorant and unable to instruct the people; and many of them scandalous in their practices, if impartially examined, and divers of them hold three or four of the best benefices, whilst divers other churches are void, and without any constant preacher. And forasmuch as the main profit of our benefices consists in the harvest which is now at hand, which many of the present possessors, if they could receive, would presently be gone, whereby the burden of the cure will lie upon your petitioners, having nothing to live upon the next year. Your petitioners therefore pray, that your excellency would make stay of the profits of the harvest, that those of us that are charged with any legal scandal may come to a just trial, and if we are found innocent may enjoy our rights, according to the known laws of the land."*

By this bold petition, it is evident these gentlemen were encouraged to hope, that the army would carry their resentments so far as to unravel all they had been doing for five years; that they would not only renounce the covenant, but disclaim the proceedings of their committees, and even countenance the clergy's adhering to the *king*; and no doubt, if his majesty had complied with the proposals of the army, he might have made good terms for them; for the

* Sufferings of the Clergy, p. 145.

general received them with respect, and having debated their address in council, proposed it to the parliament, that the estates of all sequestered persons, including the clergy, should remain in the hands of the tenants till a general peace. Upon which the old incumbents grew very troublesome, forbidding the parishioners to pay their tithes, and threatening the present possessors of their livings with legal prosecutions.

On the other hand the Presbyterian clergy addressed the general August 12, a few days after the parliament and army were united, with a complaint, "that divers delinquent ministers, who had been put out of their livings, did now trouble and seek to turn out those ministers, whom the parliament had put in; and particularly, that Dr. Layfield, by a counterfeit warrant from the general, had endeavoured to remove a minister from his benefice in Surrey." The general and his council declared their dislike of these proceedings, and promised to write to the parliament, that such offenders may be brought to punishment, which he did accordingly. The difference between the parliament and army being now in a manner compromised, which cut off the expectations of the clergy, August 19, the lords and commons acquainted the general, that they would take care for the punishment of those delinquent ministers and others, by whose practices ministers put into livings by the parliament had been disquieted and turned out; and on the 23d of the same month they passed an ordinance, setting forth "that whereas divers ministers in the several counties had been displaced by authority of parliament, for notorious scandals and delinquency, and godly, learned, and orthodox ministers had been placed in their room; and whereas the said scandalous and delinquent ministers, by force, or otherwise, had entered upon the churches, and gained possession of the tithes, &c. the lords and commons did therefore ordain, that all sheriffs, mayors, committees, &c. do forthwith apprehend such ministers, and all such persons as have been aiding and abetting to them, and commit them to prison, there to remain, till those they had thus dispossessed and molested, should receive satisfaction for their damages; and that the said sheriffs, &c. do restore those molested ministers to the quiet possession of their respective places, and do in case of need raise the trained-bands to put

this ordinance in execution; and do also take effectual course that the tithes, profits, &c. be for the future duly paid to those ministers put in by parliament, &c. And if any such disturbance should hereafter be given, the offender was to suffer for every such disturbance one month's imprisonment."

However, some small favour was shewn, about this time, to those bishops and others, who had lived peaceably, and been little more than spectators of the distracting miseries of their country; the committee was ordered to make payment of the 800*l.* per year granted to the bishop of Durham, the real estate of the pious bishop Hall, who had lately published his Hard Measure, was discharged; archbishop Usher had an allowance of 400*l.* per annum, till he could be otherwise provided for: and was soon after allowed to be preacher at Lincoln's-Inn, only upon taking the negative oath. But the bishops were not much considered in these donations. The commissioners of the great seal were ordered to fill up the vacant livings in the gift of the crown, without obliging the incumbents to take the covenant; but the new disturbances which arose in favour of the captive king, brought down new severities upon the episcopal clergy, before the end of the following year.*

CHAP. IX.

THE VISITATION OF THE UNIVERSITY OF OXFORD. STATE OF RELIGION AT THE END OF THE YEAR 1647.

SAD and deplorable was the condition of the university of Oxford when it fell into the hands of the parliament; the colleges and halls were gone to ruin, five of them perfectly deserted, and the rest in a very shattered condition. The public acts had been discontinued for some years, the schools were turned into magazines for the king's army, and the chambers filled with officers and soldiers, or let out to townsmen: there was little or no instruction for youth, nor hardly the face of a university; poverty, desolation, and

* Rushworth, p. 831. 937. 948. 958.

plunder, the sad effects of war, were to be seen in every corner; the bursaries were emptied of the public money, the plate melted down for the king's service, and the colleges involved in debts which they were not able to satisfy; there were few heads of colleges or scholars remaining, except such as were strongly prejudiced against the parliament, having employed their wits, during the course of the war, in writing weekly mercuries, and satirical pamphlets, in which they aspersed the proceedings of the two houses, and treated their divines as the most infamous, ignorant, and hypocritical traitors, nor were their tempers in the least softened, though their lives and fortunes were in the hands of their adversaries. It was therefore thought necessary to put the education of youth into such hands as the parliament could confide in, a power being reserved for that purpose in the articles of surrender.

But before they proceeded to extremes, the two houses, about the beginning of September 1646, appointed seven of their most popular divines to repair to Oxford, with authority to preach in any pulpits of the university for six months, in order to soften the spirits of the people,* and give them a better opinion of their cause, viz. the reverend Mr. Robert Harris, of Hanwell, Oxfordshire; Mr. Edward Reynolds, afterward bishop of Norwich; Mr. Henry Wilkinson, of Magdalen-college; Mr. Francis Cheynel, Mr. Edward Corbet, of Merton-college; Mr. Henry Cornish, of New-Inn, and Mr. Henry Langley, of Pembroke-college; men of reputation and character,† sober divines and popular preachers, though A. Wood, the Oxford historian, is pleased to say, "Their sermons were the contempt and scorn of the university, because they were too long and had too little learning; because they prayed very coldly for the king, but were very earnest for a blessing upon the councils and arms of the parliament, and did not always conclude with the Lord's prayer; because they reflected on some of the heads of the university, calling them dumb dogs, having a form of religion without the power; and, because their

* Suff. Cler. p. 125.

† Dr. Grey would impeach the truth of this eulogium, and refers to Anthony Wood to support his invidious reflections on these men. The names and characters of Mr. Robert Harris, Dr. Reynolds, Mr. F. Cheynel, and Mr. Corbet, will again come before the reader in Mr. Neal's next volume: and we would refer him to Dr. Calamy, or Mr. Palmer's Nonconformist's Memorial, for biography.—Ed.

manner of delivery was rather theatrical than serious; nevertheless, their auditories were crowded, though none of the heads of colleges or senior scholars attended."

The ministers were very diligent in the discharge of their trust, preaching twice every Lord's day; and that they might gain the affections of the people, set up a weekly conference every Thursday, in which they proposed to solve such objections as should be raised against their new confession of faith and discipline, and to answer any other important cases in divinity: the question or case was to be propounded the week before, that it might be well considered; a moderator also was appointed to keep order, who began and concluded with a short prayer, and the whole was conducted with decency and gravity.*. But several of the scholars ridiculed their proceedings, and by way of contempt called their place of meeting, the scruple shop; however, it was frequented by great numbers of people, some of whom were prevailed with to renounce the Oxford oath; and others to take the solemn league and covenant. They met with some little disturbance from one Erbury, a turbulent Antinomian, and chaplain in the garrison; but upon the whole, when the ministers returned to London, they declared, the citizens shewed them a great deal of respect, although the university poured all the contempt upon them imaginable, so that they apprehended themselves to have the same lot as Saint Paul had at Athens, Acts xvii. 32. 34, "Some mocked them, others slighted them, but certain clave to them, and believed."†

There being no prospect of reforming the university by these methods, the two houses resolved to proceed upon a visitation, which they apprehended they might undertake without the king, by virtue of the fourteenth article of their recapitulation, which says, "that the chancellor, masters, and scholars, of the university, and all heads, governors, masters, fellows, and scholars, of the colleges, halls, bodies corporate, and societies, of the said university, and the public professors, readers, and orators, thereof, and all other persons belonging to the said university, shall and may, according to their statutes, charters, and customs, enjoy their ancient form of government, subordinate to the im-

* Suff. Cler. p. 125. Minist. Account, p. 5. Vol. Pamph. no. 282.
† Minist. Account, p. 52.

mediate authority and power of parliament, and that all the rights, privileges, franchises, lands, tenements, houses, rents, revenues, libraries, debts, goods, and chattels, &c. belonging to the said university, shall be enjoyed by them respectively as aforesaid, free from sequestrations, fines, taxes, and all other molestations whatsoever, under colour of any thing relating to the present war. And if any removal shall be made by the parliament of any head or other members of the university, that they shall enjoy their profits for six months after the surrendering of Oxon, and shall have convenient time allowed them for the removal of themselves and their goods; provided that this shall not extend to retard any reformation there intended by the parliament, or give them any liberty to intermeddle with the government."* But the heads of colleges did not think themselves obliged by this capitulation, nor any thing contained in it, because they were not made parties, nor called upon to give their separate consent to the articles, though they took advantage of every thing that was stipulated in their favour.†

May 1, 1647, an ordinance passed both houses for visiting the university, and nominating the following gentlemen, lawyers, and divines, for that service, viz.‡

Sir Nath. Brent	William Draper, of Lincoln's-Inn, esq.	Rev. Dr. John Wilkinson
Sir William Cobb	Gabriel Beck, of Lincoln's-Inn, esq.	Mr. Henry Wilkinson
William Prynne, of Lincoln's-Inn, esq.	John Cartwright, esq.	Mr. Edw. Reynolds
John Pulliston, of Lincoln's-Inn, esq.	Mr. William Tipping	Mr. Rob. Harris
Barth. Hall, of the Middle-Temple, esq.	Mr. George Greenwood	Mr. Edw. Corbet
Tho. Knight, of Lincoln's-Inn, esq.	Mr. John Packer	Mr. Fran. Cheynell
Samuel Dunch, esq.	Mr. William Cope	Mr. John Wilkinson
	Mr. John Heling, of Gray's-Inn.	Mr. John Mills
		Mr. Christopher Rogers.

The ordinance empowers the visitors, or any five of them, "to hear and determine all crimes, offences, abuses, and disorders, which by the laws and statutes of this realm, or by the customs and statutes, rightly established, of that university, or by the several statutes of the respective colleges or halls, may lawfully be inquired of, heard, or determined, in the course and way of visitation of the university or of the colleges, halls, masters, scholars, fellows, members,

* Rushworth, p. 283. † Fuller's Appeal, p. 79.
‡ Scobel's Collect. part 1. p. 116. Suff. Cler. p. 126.

and officers, or any of them, respectively. They are more particularly to inquire by oath concerning those that neglect to take the solemn league and covenant, and the negative oath, being tendered to them by such as are authorized by parliament; and concerning those who oppose the execution of the ordinance of parliament, concerning the discipline and directory; and those who shall teach or write against any point of doctrine, the ignorance whereof doth exclude from the Lord's supper. They are likewise to inquire upon oath, concerning all such who have taken up arms against the parliament, or who have been assisting to the forces raised against the parliament. And they are to certify to a committee of the house of lords and commons mentioned in the ordinance, what masters, scholars, fellows, members, or officers, have committed any of the offences above mentioned, and the quality and condition of the offenders, that such farther proceedings may be had thereupon as the committee of lords and commons shall think fit. The visitors are farther empowered, to examine and consider all such oaths as are enjoined by the statutes of the university, or of any of the halls and colleges, as are not fit to be taken, and present their opinion to the committee above mentioned; provided always, that if any of the masters, scholars, fellows, &c. shall find themselves grieved by any sentence given by the visitors, it shall be lawful for them to appeal to the committee of lords and commons, who are authorized finally to hear and determine every such case brought before them"

Before the visitation could take place the vice-chancellor, Dr. Fell, summoned a convocation [June 1], wherein it was agreed not to submit to the parliament-visitors. A paper of reasons against the covenant,* the negative oath, and the directory, drawn up chiefly by Dr. Sanderson, was also consented to, and ordered to be published to the world both in Latin and English, against the time the visitors were to come down, under the title of "Reasons of the present judgment of the university of Oxford, concerning the

* Dr. Sanderson methodised and put into form this paper, or manifesto; and added what referred to reason and conscience. The law part was drawn up by Dr. Zouch, a civilian. But, on the whole, twenty delegates, by the appointment of the university, were concerned in this composition. Amongst whom were, Dr. Sheldon, afterward archbishop of Canterbury, Dr. Hammond, Dr. Sanderson, Dr. Morley, afterward bishop of Winchester. Walton's Life of Sanderson, 1678. p. 78, 79.—Ed.

solemn league and covenant, the negative oath, and the ordinances, concerning dicipline and worship, approved by general consent in a full convocation, June 1, 1647;" an abstract of which I shall now set before the reader.*

To the Preface of the Covenant [transcribed under the year 1643].

They declare, "We cannot say the rage, power, and presumption, of the enemies of God (in the sense there intended) are increased. Nor that we have consented to any supplication or remonstrance to the purposes therein expressed. We do not think the taking the covenant to be a lawful and probable means to preserve ourselves and our religion from ruin; nor do we believe it to be according to the commendable practice of these kingdoms, or the example of God's people in other nations."

To the Covenant in general.

"We are of opinion, that a covenant ought to be a voluntary contract, and not imposed. Now we cannot voluntarily consent to this covenant without betraying our liberties, one of which is, not to be obliged to take any oath but what is established by act of parliament; and without acknowledging in the imposers a greater power than has been challenged in former time, or can subsist with our former protestation. But if the covenant were not imposed, but only recommended, we apprehend the taking it to be inconsistent with our loyalty to the king, especially since he has by proclamation forbid it."

Objections to the several Articles of the Covenant.

To the first Article.

"We cannot swear to preserve the religion of another kingdom (Scotland), whereof we have very little understanding, which, as far as we are acquainted with it, is much worse than our own in worship, discipline, and government, and in doctrine not at all better; wherein there are some things so far tending to superstition and schism, that it seems reasonable to us that we should call upon them to reform, rather than we should be bound to preserve it entire.

* Bp. Sanderson's Life, Appendix, p. 169.

"Neither are we satisfied in the present reformation of religion in our own kingdom, in doctrine, worship, and discipline, because, (1.) It gives a manifest scandal to the Papist and separatist, by giving up the cause for which the martyrs and bishops have contended since the Reformation; by justifying the Papists in their recusancy, who reproach us, by saying, we know not what religion we are of; nor where to stop, since we have left them; and, that ours is a parliamentary religion. Besides, this would be a tacit acknowledgment, that there has been something in the church of England not agreeable to the word of God, and so justify the separation, and condemn all the penal laws that have been made to obliged people to conform.* (2.) By the intended reformation we should wrong ourselves, by swearing to reform that which we have formerly by our subscriptions approved, and which we do still believe to be more agreeable to the word of God than that which by this covenant we must swear to preserve; and to which, by the laws still in being, every clerk, at his admission to a benefice, is bound to give his consent. (3.) Besides, we should be in danger of perjury, because it is contrary to our former protestation, which obliges us to maintain the doctrine of the church of England, which may take in the whole establishment; and it is contrary to the oath of supremacy, which gives the sole power to the king in matters ecclesiastical."

Objections to the second Article.

"We are very much grieved to see the prelacy of the church of England ranked with Popery, superstition, heresy, schism, and profaneness, with an intimation, that it is contrary to sound doctrine, or the power of godliness.† Nor can we swear to the extirpation of it, because, (1.) We believe it to be of apostolical institution. Or, (2.) At least that episcopal aristocracy hath a fairer claim to a divine institution than any other form of church-government. (3.) That episcopal government has continued in the church without interruption for fifteen hundred years, therefore to extirpate it would give advantage to the Papists, who are wont to charge us with a contempt of antiquity, and love of novelty, and it would diminish the just authority due to

* Bishop Sanderson's Life, Appendix, p. 179. † Ibid. p. 184.

the consent and practice of the Catholic church. (4.) Besides, we cannot swear to the extirpating this government, because we have subscribed the thirty-nine articles, one of which says, the book containing the form of consecration has nothing in it contrary to the word of God. We have been ordained by bishops; we have petitioned the parliament for the continuance of them; and some of us hold our livelihoods by the titles of deans, deans and chapters, &c. (5.) We are not satisfied that the inconveniences of the new government will be less than the old, the house of commons having remonstrated [December 15, 1641], that it was far from their purpose to abolish this government, but only to regulate it, and that it was a sign of malignancy to infuse into the people that they had any other meaning. Lastly, In respect of our obligation to his majesty, having acknowledged him to be supreme governor in all causes ecclesiastical, we cannot endeavour to extirpate this government without the royal assent, which we are so far from desiring that we are continually praying, that the king may not be prevailed with to do an act so prejudicial to his conscience and honour, and which, by his coronation-oath, he is bound to preserve.* By the laws of the land there are sundry privileges and emoluments arising to the crown from the ecclesiastical estate, which are a considerable part of the revenue, which by the extirpation of prelacy will be cut off; whereas we are bound by the oath of allegiance to maintain the king's honour and estate. And after all, the prelatical government is best suited to monarchy, insomuch that king James used to say, No bishop, no king.

Objections to the third Article.

"We are dissatisfied with the limitation of our loyalty in these words, 'in the preservation and defence of the true religion, and liberties of the kingdom;' because no such limitation is to be found in the oath of allegiance, nor in the word of God; because it leaves the duty of the subject loose, and the safety of the king uncertain. The conscience of a Papist, or sectary, may swallow an oath with such a limitation, but the conscience of a good Protestant cannot but strain at it."†

* Bishop Sanderson's *Life*, Appendix, p. 197. † *Ibid.* p. 201.

To the fourth Article.

They reply, "That the imposing the covenant in this article may lay a necessity upon the son to accuse the father, in case he be a malignant, which is contrary to religion, nature, and humanity; or it may open a way for children that are sick of their fathers, to effect their unlawful intentions, by accusing them of malignancy; besides the subjecting ourselves to an arbitrary punishment, at the sole pleasure of such uncertain judges as may be deputed for that effect, is betraying the liberty of the subject."*

Objections to the fifth Article.

"We cannot acknowledge the happiness of such a peace as in the article is mentioned, for no peace can be firm and well-grounded, unless the respective authority, power, and liberty, of king, parliament, and subject, be preserved full and entire, according to the known laws and respective customs of the kingdom, before the beginning of these distractions."†

Objections to the sixth Article.

They say, "We are not satisfied, that the cause of our joining in covenant for the prosecution of the late war, was the cause of religion, liberty, and peace, of the kingdom, or that the glory of God and the honour of the king were concerned in it. And if it was, we are not satisfied that it ought to be supported and carried on by such means as are destitute of all warrant from the word of God, or the laws of the realm."‡

In conclusion, say they, "Our hearts tremble to think that we should be required to pray, that other Christian churches may be encouraged by our example to join in the like covenant to free themselves from the antichristian yoke, for we do not know any antichristian yoke we were under; nor do we yet see such good fruits of this covenant among ourselves as to invite us to pray, that other churches should follow our example; it is as if we should pray, that the God of love and peace would take away all love and peace, and set the Christian world in a combustion; that he would render the reformed religion odious to the world; that Christian princes might be provoked to use more severity towards those of

* Bishop Sanderson's Life, Appendix, p. 203. † Ib. p. 206. ‡ Ib. p. 207.

the reformed religion, if not to root it out of their dominions; for the yoke of antichrist, if laid upon subjects by their lawful sovereigns, is to be thrown off by Christian boldness in confessing the truth, and suffering for it, not by taking up arms, or violent resisting of the higher powers."

After these remarks upon the several articles, they take notice,

(1.) Of the following seeming contradictions in the covenant, as, "The preserving and yet reforming one and the same reformed religion. The reforming church-government according to the word of God, and yet extirpating that government which we apprehend agreeable to it. The extirpating heresy and schism, and yet dissolving that government in the church, the want of the due exercise of which has been the occasion of the growth of these evils. The preserving the liberties of the kingdom, and yet submitting to a covenant and oath not established by law."*

(2.) They observe some dark and doubtful expressions which they do not well understand; as, "Who are the common enemies? Which are the best reformed churches? Who are malignants? How far the hindering reformation may be extended, &c."†

(3.) By the use that has been made of the covenant, they apprehend "the conduct of the parliament to be contrary to the meaning of it, for instead of reforming the worship and service of the church they have quite abolished it; instead of reforming the discipline of the church, it is quite destroyed, or put upon such a foot as is not agreeable to the word of God, or the example of any church since the creation. Instead of extirpating heresy and profaneness, little or nothing has been done towards it, but only the extirpation of prelacy, and something else that looks so like sacrilege (say they) that we do not venture upon it. And as for the preservation of the king's honour and estate in defence of the true religion and liberties of the kingdom, though we apprehend all other things should be subordinate to it, yet by some bold speeches that have been made we are afraid nothing less is intended."

Of the Salvoes for taking the Covenant.

(1.) "It has been said, that we may take it in our own

* Sanderson's Life, Appendix, p. 211. † Ibid. p. 213.

sense. But this we apprehend contrary to the nature and end of an oath; contrary to the end of speech; contrary to the design of the covenant, and contrary to the solemn profession at the conclusion of it, viz. That we shall take it with a true intention to perform the same, as we shall answer it to the Searcher of all hearts at the great day. Besides, this would be Jesuitical; it would be taking the name of God in vain; and it would strengthen the objection of those who say, There is no faith to be given to Protestants.*

(2.) "It has been said, we may take the covenant with these salvoes expressed, so far as lawfully I may, so far as it is agreeable to the word of God, and the laws of the land, saving all oaths by me formerly taken, &c, which is no better than vile hypocrisy; for by the same rule one might subscribe to the council of Trent, or the Turkish Alcoran.

(3.) "It is said, that we may take the covenant in our present circumstances, notwithstanding our allegiance to the king, because protection and subjection are relatives, and the king being unable to protect us any longer, we are free from subjection to him. But we answer, that the king's inability to perform his duty does not discharge the subject from his, as long as he is able; much less when the non-protection on the king's part, is not from want of will, but of power.

(4.) "It is said, that the parliament being the supreme judicatory of the kingdom, wheresoever the king is in person he is always present with his parliament in power; as what is done in courts of justice is not done without the king, but by him, though not personally present. But we deny the king to be always present with his parliament in power, for then his actual royal assent would not be necessary to the making of laws, but only a virtual assent included in the votes of both houses: the houses need not then desire the royal assent, nor can the king be supposed to have a negative voice. Besides, the statute which provides, that the king's assent to any bill signified under his great seal shall be as valid as if he were personally present, imports, that the king's power is not present with his two houses, otherwise than it appears in his person, or under his great seal. As to the analogy of other courts we conceive it of no consequence; in other courts the judges are the king's servants,

* Sanderson's Life, Appendix, p. 221, &c.

and do all in his name, and by his authority; they sit there not by any proper interest of their own, but in right of the king, whose judges they are; but the parliament is the king's council, and have their several proper rights and interests distinct from the king's, by virtue of which they are distinct orders and conservators of their several interests. Besides, the judges of other courts are bounded by the laws in being, and therefore the king's personal presence is not necessary; but the case is quite different in making new laws, for the making new laws is the exercise of a legislative rather than a judicial power; now, no act of legislative power can be valid, unless it be confirmed by such person or persons as the sovereignty of that community resideth in. Upon the whole, since all judicial power is radically in the king, who is therefore called the fountain of justice, it seems to us, that neither the judges in inferior courts, nor the lords and commons assembled in parliament, may exercise any other power over the subjects of this realm, than such as by their respective patents and writs issued from the king, or by the established laws of the land, formerly assented to by the kings of this realm, does appear to be derived from them; by which writs, patents, and laws, it does not appear that the two houses of parliament have any power without the king, to order, command, or transact; but only with him to treat, consult, and advise, concerning the great affairs of the kingdom."

Concerning the negative Oath.

They say, "We cannot take it without giving up our liberties, without abusing our natural allegiance, and without diminution of his majesty's just power and greatness."*

Concerning the Discipline and Directory.

"We are not satisfied to submit to the ordinance for establishing the Directory, because it has not the royal assent, and yet abrogates acts of parliament made by the joint consent of king, lords, and commons, especially one, which annexes the whole power of ordering all ecclesiastical matters for ever to the imperial crown of this realm; now we are not satisfied that a less power can have a just right to abrogate a greater.

"If under the title of discipline be comprehended the

* Sanderson's Life, Appendix, p. 243.

government of the church also, we declare, we cannot consent to the eradication of a government of such reverend antiquity, which has from time to time been confirmed by the laws of the kingdom, and which the kings at their successive coronations have sworn to preserve. If the word discipline be distinguished from government, as in the first article of the covenant, yet are we not satisfied to place so much power in the hands of persons (many of whom may be of mean quality) for the keeping back thousands of well-meaning Christians from the blessed sacrament, when Saint Paul, in a church abounding with sundry errors and corruptions in faith and manners, satisfies himself with a general declaration of the danger of unworthy communicating, and enjoins every particular person a self-examination, without empowering either ministers or lay-elders to exclude any from the communion upon their examination.

"As to the Directory itself, we cannot, without regret of conscience, and during the continuance of the present laws, consent to the taking away the Book of Common Prayer, which we have subscribed, and solemnly promised to use no other; which we believe contains in it nothing but what is justly defensible; and which we think ourselves able to justify against all Papists and sectaries. Besides, we look upon the statute enjoining the use of the Common Prayer to be still in force, and will always remain so, till it shall be repealed by the same good and full authority by which it was made; that is, by the free consent of king, lords, and commons."*

By comparing these reasons with those of the parliament-divines for taking the covenant, the reader will be capable of judging how far they are conclusive. Many of them are unquestionably good, and had the constitution remained entire, and the laws had their free and ordinary course, as in times of peace, most of them would have been conclusive; but how far the necessity of the war, and the right of self-defence, will vindicate the extraordinary proceedings of parliament, I shall not take upon me to determine for others. I am no advocate for the particulars of the covenant any more than for the high and arbitrary principles of government, contained in the university's reasons. The consciences of men are not under the direction of their wills, but of their judgments, and therefore ought not to be constrained by

* Bishop Sanderson's *Life*, Appendix, p. 244.

oaths, protestations, or covenants, to attempt those things in matters of religion for which their own hearts must condemn them. Religion and civil government stand upon a distinct foundation, and are designed for very different ends; the magistrate may demand security for men's peaceable submission to the civil government, but ought not to force them to be active against the light of their consciences in matters of religion. The university's reasons are not built upon these principles; for those gentlemen were as much for the coercive power of the magistrate in cases of conscience as the Puritans; and whereas they say, the allegiance of the subject, and the protection of the king, are not relatives; and that the king's inability to discharge his duty does not absolve the subject from his, I shall only observe, that upon these principles the crown can never be forfeited; a coronation-oath is of very little significance; nor may a nation submit to a conqueror even when they can resist no longer. Inability alone in the prince, I grant, may not in all cases absolve us from our allegiance; but tyranny, oppression, and open attempts to subvert the whole constitution and laws of the country, certainly may: upon what other ground can we justify the late revolution, and the present happy establishment of the Protestant succession? When the Oxford divines at the period of the revolution had taken the oath of allegiance to king James II. and the corporation-oath, which says, "it is not lawful to resist or take up arms against the king upon any pretence whatsoever;" what could absolve them from these engagements, or justify their joining the prince of Orange with a foreign force against a king upon the throne? However, the stand now made by the university was a bold and adventurous attempt, for which they received the applause of the Oxford parliament in the year 1665, when it was resolved, "that the thanks of the house of commons be returned to the chancellor, masters, and scholars, of the university of Oxford, for their bold opposition to the rebellious visitors; for refusing to submit to their league and covenant; and lastly, for the illustrious performance they printed, entitled, 'The judgment of the university,' &c. in which they have learnedly maintained the king's cause." This was the fashionable doctrine of king Charles II.'s reign, when the laws were suspended and infringed, and

arbitrary power in the prince rose to such a height as in the next reign issued in a revolution of government. The university of Oxford did all they could to countenance the triumphs of the prerogative; for in the year 1663 they passed a decree in full convocation, affirming the necessity of passive obedience and nonresistance in the strongest terms; but how soon were the tables turned! when within five years these very gentlemen thought fit to enter into an association to adhere to the prince of Orange against the king upon the throne, and have since had the mortification to see that same decree burnt by the hands of the common hangman.

To return to the visitation, May 15, a citation was issued in the names of ten of the visitors then in London, to the proctors, and heads of houses, or their vice-principals, requiring them, and all the officers, scholars, &c. to appear in the convocation-house, on Friday June 4, between the hours of nine and eleven in the morning, and to bring with them a list of the several names of those who were absent, and of the colleges to which they belonged. At the time appointed the reverend Mr. Harris, Mr. Reynolds, Mr. Rogers, Mr. Henry Wilkinson, Mr. Cheynel, Mr. John Wilkinson, Mr. Dunce, and Mr. Draper, &c. opened the visitation with prayers and a sermon at St. Mary's church, from whence they proceeded to the convocation-house, where the vice-chancellor [Dr. Fell] and a few of the scholars had been waiting a considerable time; but perceiving the visitors were like to outstay the precise hour of summons, he ordered the sexton to set the clock exactly with the sun, and as soon as it struck eleven he dismissed the scholars, marching away with the beadles before him; the visitors met them in their return at the *proscholium*, where the passage being narrow, the beadle cried out, "Make way for Mr. vice-chancellor," which the visitors did. And the vice-chancellor having moved his hat, as he passed by said, "How do ye, gentlemen, it is past eleven o'clock." But the visitors went forward, and having consulted about an hour upon the vice-chancellor's behaviour, resolved to adjourn till Michaelmas, and return to London, in order to obtain farther powers from the parliament. In the meantime Dr. Fell summoned a committee of the heads of the several colleges, who came to the following resolutions:

1. That no man should appear before the visitors unless the summons had five names.

2. That no one should appear upon a holy day.

3. That he should demand by what authority he was summoned; and, if denied an answer, should presently depart.

4. That if they declared their authority, he should answer with a *salvis juribus regni, academiæ et collegii*, &c.

5. That he should demand his accusation in writing, as also time to put in his answer, and should return it in writing, and no otherwise.

Lastly, That he should utterly refuse to answer on oath, because that would be to accuse himself, and would plainly revive the oath *ex officio*.

Such was the stout behaviour of these few academics, "who (according to Dr. Walker) poured upon the visitors all manner of contempt and scorn, though they knew their very lives and fortunes were at their disposal. The university (says he) held out a siege of more than a year and half; the convocation-house proved a citadel, and each single college a fort not easy to be reduced;"* a clear evidence of the humanity of the visitors, and an unanswerable demonstration of the necessity of the parliament's acting with greater vigour.

The two houses having resolved to support their visitors, and enable them to go through their work, passed an ordinance August 26, empowering them "to administer the covenant, and the negative-oath: to demand the perusal of the statutes, registers, accompts, &c. and of all other papers of the university, and of the respective colleges and halls; and to seize and detain in custody any person, who after a personal citation refused to appear, and produce their books and papers after a second citation; a jury was also to be impannelled, of members of the university, above the age of twenty-one, to inquire by oath on the articles contained in the ordinance of visitation;"† and a new commission was drawn up by Mr. Attorney-general St. John, with the great seal affixed to it, September 27, authorizing the persons above named, to visit the university without any farther warrant; the commission began in the usual form, "Charles, by the grace of God, &c. to our trusty and well-beloved sir

* Sufferings of the Clergy, p. 122, 123. 128, &c. † Ibid. p. 128.

Nath. Brent, &c. Know ye, that we intending the regulation and reformation of our university of Oxford," &c. which was a very strange style considering the king was never consulted about the visitation, much less gave any consent; but the houses affected this form, from a mistaken supposition, that the king was always present with his parliament in his legislative capacity; though it served no other purpose than giving the adversary an opportunity to expose their proceedings, and charge them with assuming and acting under a forged authority.

Furnished with these new powers, the visitors returned to Oxford the latter end of September, the mayor, sheriffs, and other magistrates, being commanded to aid and assist them as there should be occasion. On Michaelmas-day a paper was fixed to the door of University-church, giving notice, that the visitation would now proceed *de die in diem.** Next day a citation was issued to all the heads of houses, requiring them to bring in their statutes, registers, accompts, and all their public writings, to the warden's lodgings at Merton-college. The vice-chancellor was ordered to appear at the same time, to answer to such questions as should be demanded of him, and to send by the hands of the persons who served those orders, all the books and acts belonging to the university. The proctors were likewise enjoined to bring in their books, keys, and other public things in their custody. But it is not enough to say, says the Oxford antiquary, that every one of these orders was disobeyed; they were also despised and contemned. However, the vice-chancellor and heads of colleges condescended to appear at the second summons, October 6, when, instead of bringing their books and papers, they demanded to know by what authority they were summoned? upon which the visitors produced their commission under the broad seal, at the same time serving them with a third citation, to appear four days after with their books and papers, or with their reasons in writing why they refused so to do. Next day they sent for the keys of the convocation-house and school, and for the beadles' staves, but they were denied. The day following, the proctors appeared, and delivered a protestation, attested by a public notary, in the name of the vice-chancellor, delegates, and all the scholars, to this purpose, that

* Wood's Antiq. Oxon, p. 368.

"they could not own any visitor but the king, and that having sworn to maintain his right, they could not, without perjury, submit themselves to this visitation, wherewith they desire them to acquaint the parliament."* Hereupon Dr. Fell the vice-chancellor, the very same day, was deprived of his vice-chancellorship, and public notice was given to the proctors, and other officers of the university, not to obey him any longer under that character; but the doctor, without regard to his deprivation, or to the prorogation of the term, which the visitors had adjourned from the 10th to the 15th instant, proceeding on the 11th to hold a congregation, and open the term as usual, was taken into custody, and some time after, by order of parliament, brought to London; immediately upon which, Dr. Potter, president of Trinity-college, ordered the beadles with their staves to attend him as pro-vice-chancellor. November 2 and 4, the several heads of colleges then present appeared before the visitors, but without their statute-books and papers, and being called in severally, were asked in their turns, Whether they approved of the *judicium universitatis*; or the reasons of the university above mentioned? Whether they owned the power of visitors? Or, whether they approved of the answer of the proctors in the name of the whole university?† And refusing to give a direct answer, were served with a citation to appear before the committee for the reformation of the university at Westminster the 11th instant, which they did accordingly; and having owned their approbation of the answer of the proctors in the name of the university, they tendered a paper to the committee in the name of all who had been cited, setting forth, "that what they had done was not out of obstinacy, but from conscience; and praying that in an affair of so much consequence they might be allowed time to advise with council." Their request being readily granted, two gentlemen of the long robe of their own nomination, viz. Mr. Hale and Mr. Chute, were appointed their council. The day of hearing was December 9; the position they offered to maintain was, that it was one of the privileges of the university to be subject only to a royal visitation; the council for the university made a learned argument upon this head; but, as Mr. Collyer observes, this question had been debated before the king

* Wood's Antiq. Oxon. p. 389, 390. † Suff. Cler. p. 130.

in council in the year 1637, when archbishop Laud claimed a right of visiting the two universities *jure metropolitico*.* It was then admitted, that the king might visit when he pleased; yet after a full hearing, his majesty, with the advice of his council, declared and adjudged the right of visiting both universities, as universities, to belong to the archbishop and metropolitical church of Canterbury, by themselves or commissaries, and that the universities should from time to time be obedient thereunto. Which determination of his majesty, the archbishop moved might be drawn up by council learned in the law, and put under the broad seal, to prevent disputes for the future. And the same was accordingly done; the university therefore lost their question in the committee. The council for the visitors were farther of opinion, that the kingly power was always virtually present with his great council of parliament, and that therefore they might visit; but supposing this to be a mistake, they affirmed, that the parliament had an undoubted right to reform the university by the articles of capitulation, in which they had expressly reserved this power to themselves. After a full hearing on both sides, the committee voted, that the answer of the several heads of houses, and of others of the university, was derogatory to the authority of parliament.

The Oxford divines, not satisfied with this determination, appealed soon after to the public, in a letter to the learned Mr. Selden, representative for the university, entitled "The case of the university of Oxford;" or the sad dilemma that all the members thereof are put to, to be perjured or destroyed.† The letter says, "that the only question proposed by the visitors to every single person in the university is, Whether he will submit to the power of the parliament in this visitation? To which they reply, that unless they have the personal consent of the king, they cannot submit to any visitation without danger of perjury, as appears by the words of the oath, which are, 'You shall swear to observe all the statutes, liberties, privileges, and customs, of the university;' to which the scholar answers, 'I swear.' Now it being one of our privileges to be visited by none but the king, or by the archbishop of Canterbury; the archbishop being dead,

* Ecclesiastical History, p. 766.
† Sufferings of the Clergy, p. 133. Vol. Pamp, no. 34.

it follows we can be visited by none but the king; to submit therefore to another visitation, must be a breach of our liberties, and consequently downright perjury.—They urged farther, the statutes of their several colleges, which bind them to certain rules in their electing of proctors, in the calling and meeting of convocations, in the choice of several officers in case of a vacancy, all which, instead of being referred to the members of the university, is now done by the arbitrary power of the visitors. Nothing (say they) can be alleged in answer to this, but the pretended sovereign power of the two houses to make and abolish laws, which we absolutely disbelieve. Upon the whole, they appeal to any divine, whether they ought to submit to the visitation as long as they believe their oaths to be in full force, and are confident that the two houses cannot dispense with them? And consequently whether they ought to be turned out of their freeholds on this account?"

The committee at London having waited till the end of the month of December, to see if any of the heads of colleges would submit, voted Dr. Fell out of his deanery of Christ-church for contumacy;* and passed the same sentence upon

Dr. Oliver, president of Magdalen-college
Dr. Potter, ——— Trinity
Dr. Bayly, ——— St. John's
Dr. Radcliffe, principal of Brazen-nose
Dr Gardner, Dr. Iles, Dr. Morley, } canons of Christ-church.

When these resolutions were sent to Oxford, the proper officers refused to publish them, and when they were pasted upon the walls of the colleges, they were torn down, and trampled under foot; upon which the pro-vice-chancellor and the two proctors were ordered into custody; but they absconded, and Dr. Oliver assumed the office of pro-vice-chancellor. The parliament, provoked at this usage, passed an ordinance January 22, 1647—8, constituting the earl of Pembroke chancellor of Oxford, and March 8 they ordered him to repair thither in person, to support the visitors, and place the several persons whom the committee had chosen, in the respective chairs of those they had ejected.†

* Sufferings of the Clergy, p. 131. † Whitelocke, p. 290.

April 11, the chancellor made his public entrance into the city, attended with a great number of clergy, and gentlemen of the country, and about one hundred horse out of Oxford itself; the mayor welcomed him at his entrance into the city with a congratulatory speech; and when he came to his lodgings, Mr. Button, one of the new proctors, made a speech to him in Latin, but not one of the heads of colleges came near him; the insignia of the university were not to be found, and the scholars treated the chancellor and his retinue with all that rudeness they had been taught to express towards all who adhered to the parliament.

Next morning the earl, attended with a guard of soldiers, went to Christ-church, and having in vain desired Mrs. Fell the dean's wife to quit the lodgings peaceably, he commanded the soldiers to break open the doors, and carry her out in a chair into the middle of the quadrangle;* he then put the new-elected dean Mr. Reynolds, afterward bishop of Norwich, into possession; from thence his lordship with the visitors went to the hall, and having got the Buttery-book, struck out Dr. Fell's name, and inserted that of Mr. Reynolds; the like they did by Dr. Hammond, sub-dean and public orator; by Dr. Gardner, Dr. Rayne, Dr. Iles, and Dr. Morley,† placing in their stead Mr. Corbet, who was made public orator; Mr. Rogers, Mr. Mills, Mr. Cornish, Mr. Henry Wilkinson, sen. and Mr. Langley; Dr. Sanderson being spared, because he was out of town when the last summons was issued.

In the afternoon they held a convocation, which was opened with an elegant Latin oration, pronounced by Mr. Corbet their new orator.‡ When the chancellor had taken the chair in the convocation-house, he declared Mr. Reynolds vice-chancellor, to whom an oath was administered that he would observe the statutes and privileges of the university, subject to the authority of parliament. Mr. Button and Mr.

* Sufferings of the Clergy, p. 133.

† Dr. Grey, on the authority of bishop Sanderson's biographer and Mr. Wood, says, that Dr. Morley was not turned out. But Dr. Richardson says, that being deprived of all his ecclesiastical benefices in 1648, he withdrew from the kingdom, first to the Hague, and then to Antwerp. De Præsulibus Angliæ Commentarius, p. 244. Dr. Grey appears to have mistaken the passage in Sanderson's Life, which relates only the steps that a friend would have taken to secure Dr. Morley's continuance in the university, and concludes with his memorable and generous reply, which shews that he declined availing himself of his friend's kindness, saying; "that when all the rest of the college were turned out, except Dr. Wall, he should take it to be, if not a sin yet a shame, to be left alive with him only."—*Ed.*

‡ Rushworth, p. 1061.

Cross were declared proctors, and all three returned their thanks to the chancellor in Latin speeches. On this occasion degrees were conferred upon divers learned men. Mr. Chambers, Mr. Gallicott, and Mr. Harris, were made doctors of divinity; Mr. Palmer doctor of physic; Mr. J. Wilkins [afterward bishop], Mr. Langley, Mr. Cornish, and Mr. Cheynel, bachelors of divinity; the young earl of Carnarvon, the chancellor's two youngest sons, and several other gentlemen, masters of arts.*

Next morning, April 13, the chancellor and visitors, with a guard of musketeers, went to Magdalen-college, and having broke open the doors of the president's lodgings [Dr. Oliver], who was out of the way, they gave Dr. Wilkinson possession. In the afternoon they went to All-Souls, where Dr. Sheldon the warden appearing, and refusing to submit, returned to his lodgings, and locked the doors; which being broke open, the doctor was taken into custody for contempt, and Dr. Palmer put in his place; from thence they went to Trinity-college, and having broke open the lodgings, Dr. Harris was put into possession in the room of Dr. Potter. In like manner Dr. Cheynel had possession given him of St. John's in the room of Dr. Bayly; Mr. Wilkins was appointed president of Wadham-college in the room of Dr. Pit; and Mr. Greenwood was put into possession of Brazen-nose college in the room of Dr. Radcliffe, allowing those they displaced a month's time to remove their effects. But some of the students of Christ's-church having got the Buttery-book, impudently cut out the names of those whom the visitors had inserted; so that they were forced to return the next day, and write over again the names of their new dean and canons.† The heads of colleges being thus fixed in their several stations, the chancellor took leave of the university and departed for London; and having reported his conduct April 21, received the thanks of the two houses.

But Dr. Wilkinson, sen. and Mr. Cheynel, who returned with the chancellor, having represented to the parliament, that the fellows, scholars, and under officers, still refused to submit to their orders, it was resolved, "that the visitors should cite all the officers, fellows, and scholars, before them, and that such as refused to appear, or upon appearance did

* Sufferings of the Clergy, p. 133, 134. † Ibid. p. 134.

not submit, should be suspended from their places, and their names returned to the committee, who were authorized to expel them the university; and the new heads (on signification of such sentence from the committee) in conjunction with the visitors, were empowered to put others in their places. They resolved farther, that the bursars should make no dividend of money till they had orders from the committee; and that the tenants should pay their rents to none but the heads appointed by the authority of parliament."* But the bursars absconded, and were not to be found.

By virtue of these orders the visitors cited the fellows, scholars of houses, gentlemen-commoners, and servitors, to appear before them at several times; the only question demanded of them was, Will you submit to the power of the parliament in this visitation? To which they were to give their answer in writing, and according to it were confirmed or displaced. Great numbers were absent from the university, and did not appear; others, who disowned the power of the parliament at first, afterward submitted, but the main body stood it out to the last: Dr. Walker says, that one hundred and eighty withdrew;† that of about six hundred and seventy-six who appeared, five hundred and forty-eight refused at first to own the authority of the visitation, but that afterward many submitted and made their peace.‡ In another place he supposes one fourth submitted; and makes the whole number of fellows and scholars deprived three hundred and seventy-five; and then by a list of new elections in some following years, reduces them to three hundred and fifty-six; but considering that some may have been omitted, he guesses the whole to be about four hundred. The Oxford historian Mr. Wood says, the number of those that refused to submit was about three hundred and thirty-four, but that they were not presently expelled; for though the visitors were obliged to return their names to the committee, and were empowered to expel them, yet they deferred the execution of their power, in hopes that time might bring them to a compliance; which it is very likely it did, because it appears by the register, that in the eight succeeding years, i. e. between the years 1648 and 1656,

* Sufferings of the Clergy, p. 134. † Life of Mr. Phil. Henry, p. 12.
‡ Sufferings of the Clergy, part 1. p. 135; and part 2. p. 136, 139.

there were no more than three hundred and ninety-six new elections, which, allowing for deaths and removals, must infer the deprivations at this time could not be very considerable; however, had their numbers been much greater than they really were, the parliament were obliged, in their own defence, to dispossess them.

The few scholars that remained in the university treated the visitors with insufferable rudeness; scurrilous and invective satires, equal if not superior in raillery and ill language to Martin Mar-Prelate, and the rest of the Brownistical pamphlets in the reign of queen Elizabeth, were dispersed in the most public places of the city every week; as Mercurius Academicus; Pegasus, or the Flying Horse from Oxon; Pegasus taught to dance the Tune of Lachrymæ; News from Pembroke and Montgomery, or Oxford Manchestered. The Owl at Athens; or the Entrance of the Earl of Pembroke into Oxford April 11. The Oxford Tragi-comedy, in heroic Latin verse. Lord have mercy upon us;—which is the inscription put upon houses that have the plague; and many others; which the visitors took no farther notice of, than to forbid the booksellers to print or sell the like for the future.* If the Puritans had published such pamphlets against the exorbitances of the high-commission court in the late times, the authors or publishers must have lost their ears, as the Brownists did their lives towards the latter end of queen Elizabeth; and surely the university might have evinced their loyalty without offering such unmannerly provocations to gentlemen, who were disposed to behave towards them with all gentleness and moderation.

The visitors being informed that an insurrection was designed among the scholars in favour of the king, and in concert with the loyalists in other parts of the kingdom, acquainted the commanding officers of the garrison, who gave immediate orders to search the colleges for arms; and on the 26th of May 1648, the visitors ordered all the members of the university to deliver a peremptory answer in writing within seven days, whether they would submit to the authority of the parliament in this visitation or no. And that none should depart the university without leave from the pro-vice-chancellor. The day following both houses of parliament passed an order, "that forasmuch as many

* Sufferings of the Clergy, p. 135.

doctors, and other members of the university, notwithstanding the example that had been made of some of them, did still persist in their contempt of the authority of parliament, which might be of dangerous consequence; therefore the committee for reforming the university should have power to send for them under the custody of a guard, and commit them to prison." When this order came to Oxford, the visitors declared, that whosoever should not plainly, and without reserve, declare his submission to the visitation, should be deemed as flatly denying its authority, and be taken into custody; and that whosoever laid claim to any place in the university, should within fifteen days declare his submission, or be deprived; accordingly, at the expiration of the time, such as did not appear were deprived of their fellowships, and expelled the university: but still the scholars would not remove, being too stubborn to be evicted by votes at London, or papers and programmas at Oxford. The visitors therefore, after having waited above six months, were obliged to proceed to the last extremity; and July 5, 1649, ordered a serjeant, attended with some files of musketeers, to publish by beat of drum before the gates of the several colleges, that "if any of those who had been expelled by the visitors, should presume to continue any longer in the university, they should be taken into custody, and be made prisoners by the governor." This not answering the proposed end, the Oxford historian adds, that four days after they published a farther order by beat of drum before the gate of every college, "that if any one who had been expelled, did presume to tarry in the town, or was taken within five miles of it, he should be deemed as a spy, and punished with death." And to enforce this order general Fairfax, who was then in the field, gave public notice, that he would proceed accordingly with such as did not depart in four days, unless they obtained leave from the vice-chancellor and visitors to continue longer. At length their courage cooled, and the young gentlemen were prevailed on to retire. Thus the university of Oxford was cleared of the royalists, and the visitors at liberty to fill up their vacancies in the best manner they could; in all which one cannot tell which most to admire, the unparalleled patience and forbearance of a victorious parliament for almost two years, or the stubborn perverseness and provok-

ing behaviour of a few academics, against a power that could have battered their colleges about their ears, and buried them in their ruins in a few days.

About ten of the old heads of colleges, and professors of sciences, submitted to the visitors, and kept their places, and about nineteen or twenty were expelled. Those who submitted were,

Dr. Langbain, provost of Queen's
Dr. Hood, rector of Lincoln
Dr. Saunders, provost of Oriel
Dr. Hakewell, rector of Exeter } college.
Sir Nath. Brent, warden of Merton
Dr. Zouch, principal of Alban-hall
Dr. Lawrence, master of Baliol

Dr. Pocock, Arabic professor.
Dr. Clayton, anatomy professor.
Mr. Philips, music professor.

The following characters of these gentlemen, with those of their predecessors and successors, I have taken for the most part from writers not to be suspected of partiality in favour of the Puritans.

Dr. Gerard Langbain, provost of Queen's college, was a great ornament to his college; he was elected keeper of the archives or records of the university, being in general esteem for his great learning and honesty. He was an excellent linguist, an able philosopher and divine, a good common lawyer, a public-spirited man, a lover of learning and learned men, beloved of archbishop Usher, Selden, and the great Goliahs of literature. He was also an excellent antiquary, indefatigable in his studies, and of immense undertakings. He died February 10, 1657—8, and was buried in the inner chapel of Queen's college.*

Dr. Paul Hood, rector of Lincoln-college, had been many years governor of this house, and continued in it through all changes till his death; he was vice-chancellor of the university in the year 1660, when he conformed to the established church, and died in the year 1668.†

Dr. John Saunders, provost of Oriel-college, disowned the authority of the visitors at first, but afterward complied;

* Wood's Athen. vol. 2. p. 140. † Wood's Fasti, p. 127.

for, as Dr. Walker observes, there was no other provost till after his death, which was in the year 1652.*

Dr. George Hakewell, rector of Exeter-college, had been chaplain to prince Charles and archdeacon of Surrey; upon the promotion of Dr. Prideaux to the see of Worcester, he was chosen rector of this college, but resided little there, retiring during the war to his rectory of Heanton in Devon, where he led a recluse life, and died in April 1649. He was, according to Dr. Walker, a great divine, a very good philosopher, and a noted preacher.†

Sir Nathaniel Brent, warden of Merton-college, was probationer fellow in the year 1594, and proctor of the university in 1607; he afterward travelled into several parts of the learned world, and underwent dangerous adventures in Italy to procure the history of the council of Trent, which he translated into English, and therefore, says Mr. Wood,‡ deserves an honourable mention. By the favour of archbishop Abbot he was made commissary of the diocess of Canterbury, and vicar-general to the archbishop, being doctor of laws, and at length judge of the prerogative. In 1629 he was knighted at Woodstock, and at the commencement of the civil war took part with the parliament, for which reason he was ejected his wardenship of this college, but restored again when it came into the parliament's hands in 1646. He was one of the visitors of the university, and esteemed a very learned and judicious civilian. He resigned his wardenship in the year 1650, and died at London in 1652, after he had lived seventy-nine years.

Richard Zouch, LL.D. principal of Alban-hall, was of noble birth, and served in parliament for the borough of Hythe in Kent. He was chancellor of the diocess of Oxon, principal of St. Alban-hall in 1625, and at length judge of the high court of admiralty; he was very able and eminent in his own profession, a subtle logician, an expert historian, and for the knowledge and practice of the civil law the chief person of his time. As his birth was noble, says Mr. Wood,§ so was his behaviour and discourse; and as he was personable and handsome, so naturally sweet, pleasing, and affable; he kept his principalship and professorship till his death, which happened March 1, 1660—1.

* Walker, p. 131.
† *Ibid.* p. 114.
‡ Athen. Oxon. vol. 2. p. 92.
§ Athen. Oxon. vol. 2. p. 166.

Dr. Thomas Lawrence, master of Baliol-college, and Margaret professor of divinity, had been chaplain to king Charles I. and prebendary of Litchfield, and by the interest of archbishop Laud preferred to the mastership of this college in 1637. He submitted to the authority of the visitors, and had a certificate under their hands, dated August 3, 1648, wherein they attest, that he had engaged to observe the Directory in all ecclesiastical administrations, to preach practical divinity to the people, and to forbear preaching any of those opinions that the reformed church had condemned.* Dr. Walker says, he resigned all his preferments in the university in the year 1650, but does not say upon what occasion; only that he grew careless, and did much degenerate in his life and manners; that he died in the year 1657, but that if he had lived three years longer, he would notwithstanding have been consecrated an Irish bishop.†

The professors of sciences who submitted to the visitors, and were continued, were,

Dr. Edward Pocock, professor of the Hebrew and Arabic languages; one of the most learned men of his age, and justly celebrated at home and abroad for his great skill in the oriental languages, and for many works that he published. He was afterward ejected from his canonry of Christ-church for refusing the engagement 1651,‡ but was suffered to enjoy his professorship of Arabic and Hebrew; he conformed in the year 1660, and lived in great reputation till the year 1691.§

Thomas Clayton, M. D. king's professor of anatomy; which professorship he resigned to Dr. William Petty, in January 1650. He was made warden of Merton-college upon the resignation of Dr. Reynolds, March 26, 1661, and the next day was knighted by the interest of his brother-in-law sir Charles Cotterel.

Mr. Arthur Philips, professor of music, of whom I have met with no account.

* Athen. Oxon. vol. 2. p. 136. † Sufferings of the Clergy, p. 100.

‡ He was very near being ejected from his living of Childrey for "ignorance and insufficiency;" but Dr. Owen, the learned Independent, interested himself in his behalf, and prevented his ejectment. When he was in the east, into which he made two voyages, the mufti of Aleppo laid his hand upon his head, and said, "This young man speaks and understands Arabic as well as the mufti of Aleppo." He was the first Laudian professor of Arabic. Granger's History of England, vol. 3. p. 270, 8vo.—Ed.

§ Athen. Oxon. p. 868.

The heads of colleges ejected by the visitors, with their successors, may be seen in the following table.

Heads of colleges turned out.	*Colleges.*	*Succeeded by*
Dr. Fell, vice-chancellor, from	Deanery of Christ-church	Dr. Reynolds, afterward bishop of Norwich
Dr. Pit, warden of	Wadham-college	Dr. J. Wilkins, afterward bishop of Chester
Dr. Walker	University-college	Dr. Joshua Hoyle
Dr. Radcliffe	Brazen-nose-college	Dr. D. Greenwood
Dr. Sheldon	All-Souls-college	Dr. Palmer, M. D.
Dr. Newlin	Corpus-Christi-college	Dr. Ed. Staunton
Dr. Bayly	St. John's college	Dr. Cheynel
Dr. Oliver	Magdalen-college	Dr. John Wilkinson
Dr. Han. Potter	Trinity-college	Dr. Robert Harris
Dr. Mansell	Jesus-college	Dr. Mic. Roberts
Mr. Wightwick, B. D.	Pembroke-college	Dr. H. Langley
Dr. Stringer, Prof. Gr. Lang.	New-college	Mr. Geo. Marshal Mr. Harmar, Prof. Gr. Lang.

Professors of sciences turned out.	*Professorships.*	*Succeeded by*
Dr. Robt. Sanderson	Reg. Pr. of Div.	Dr. Crosse
Mr Birkenhead, A. M.	M. Philos. Prof.	Dr. Hen. Wilkinson, jun.
Mr. Rob. Warin	Camd. Hist. Prof.	Dr. L. du Moulin
Dr. Jn. Edwards	Nat. Phil. Prof.	Dr. Joshua Crosse
Dr. Turner, M. D.	Savil. Prof. Geo.	Dr. John Wallis
Mr. J. Greaves, A. M.	Profess. Astron.	Dr. Ward, afterward bishop of Salisbury
Dr. Henry Hammond	University-orator.	Mr. Burton, A. M. Mr. Corbet, who quitted

Dr. Gilbert Sheldon, warden of All-Souls-college, was ejected April 3, 1648, and lived retired with his friends in Staffordshire till 1659, when he was restored to his wardenship upon the death of Dr. Palmer. After the Restoration he was successively bishop of London, chancellor of Oxford, and archbishop of Canterbury; he built the noble theatre at Oxford, and did a great many other works of charity,* but never gave any great specimens of his piety or learning to the world.†

Dr. Samuel Fell, vice-chancellor of the university, and dean of Christ-church, dispossessed of his deanery April 12, 1648.‡ He gave the visitors all the disturbance he could, and was therefore taken into custody for a time, but being quickly released he retired to his rectory at Sunningwell in Berkshire, where he died February 1, 1648—9.

* His benefactions, public and private, amounted to 66,000*l.* Much of this money was appropriated to the relief of the necessitous in the time of the plague, and to the redemption of Christian slaves. The building only of the theatre in Oxford cost him 16,000*l.* Granger's History of England, vol. 3. p. 231, 8vo.—Ed.

† Walker's Sufferings of the Clergy, p. 98. ‡ Walker, p. 102.

He had been a Calvinist, but changed his sentiments, and after great creepings and cringings to archbishop Laud, says Mr. Wood,* he became his creature, and if the rebellion had not broke out, would, no doubt, have been made a bishop. He left no remarkable traces of his learning behind him.

Dr. Samuel Radcliffe, principal of Brazen-nose-college, was elected to this headship 1614, and was in an infirm condition when he was ejected for disowning the authority of the visitors, April 13, 1648, and died the June following.† Neither Mr. Wood nor Walker says any thing of his learning, nor are his works extant.

Dr. Robert Newlin, president of Corpus-Christi-college, and pro-vice-chancellor in the year 1648. He was restored to his presidentship again in the year 1660, and died in it 1687. But neither Wood nor Walker has given him any character.‡

Dr. Richard Bayly, president of St. John's college, a kinsman of archbishop Laud, and one of his executors; he had been president of this college twenty years when he was ejected; but was restored in 1660, and died at Salisbury 1667.§ He was hospitable and charitable, but very faulty, says Mr. Wood, in using some kind of oaths in common conversation.‖ I do not know that he published any thing.

Dr. John Oliver, president of Magdalen-college, had been domestic chaplain to archbishop Laud, and was a man, says Dr. Walker,¶ of great learning and sound principles in religion (that is, of the principles of the archbishop); he was restored to his preferments 1660, but died soon after October 27, 1661.

Dr. Hannibal Potter, president of Trinity-college, elected 1643, and turned out with the rest who disowned the authority of the visitors, April 13, 1648. He afterward accepted of a curacy in Somersetshire, and was ejected for insufficiency; but Dr. Walker says,** it was because he used part of the church-service. He was restored in 1660, and died in 1664.

Dr. John Pit, warden of Wadham-college, elected April

* Athen. Oxon. vol. 2. p. 94.
† Walker, p. 101.
‡ Walker, p. 111.
§ Ibid. p. 116.
‖ Dr. Grey asks, "Where does Wood say this? No where that I can meet with.' Nor can I find the passage.—Ed.
¶ Walker, p. 122.
** Ibid. p. 133.

16, 1644, after that city was garrisoned for the king; he behaved very refractorily towards the visitors, and died soon after his ejectment.*

Dr. Francis Mansel, principal of Jesus-college, elected to this principalship in the year 1630, and ejected May 22, 1648. He was restored again in 1660, and died 1665, having been an eminent benefactor to his college.

Dr. Thomas Walker, master of University-college, elected 1632, and dispossessed by the visitors July 10, 1648. He was restored in the year 1660, and died in 1665. He was related to archbishop Laud, and was one of his executors, and, according to Lloyd, a deserving modest man and a great sufferer.†

Mr. Henry Wightwick, B. D. elected to the mastership of Pembroke-college in direct opposition to the order of parliament, July 13, 1647, for which reason he was soon after removed. In the year 1660 he was restored, but turned out again in 1664, for what reasons Dr. Walker says he does not know. He died in Lincolnshire 1671.‡

Dr. Henry Stringer, elected to the wardenship of New-college, after the same manner, in direct opposition to the visitors, November 18, 1647, for which reason he was deprived August 1, 1648. He was professor of the Greek language, but resigned, and died at London 1657.§

The professors ejected by the visitors were,

Dr. Robert Saunderson, regius professor of divinity; a very learned man, and an excellent casuist;‖ he was nominated one of the assembly of divines, but did not sit among them. He had a very considerable hand in drawing up the reasons of the university against the covenant, and the negative oath. After his ejectment he retired to his living at Boothby, where he continued preaching, though not without some difficulties, till the Restoration, when he was preferred to the bishoprick of Lincoln, and died 1662—3.¶

Mr. John Birkenhead, A. M. moral philosophy reader;

* Walker, p. 156. † Ibid. p. 114. ‡ Ibid. p. 132. § Ibid. p. 127.

‖ "He was, especially in the former part of his life, remarkable for his excessive modesty: an infirmity (observes my author) oftener seen in men of the quickest sensibility, and of the best understanding, than in the half-witted, the stupid, and the ignorant." Granger's History of England, vol. 3. p. 238, 239, 8vo. He disapproved of and wrote against the usual mode of lending money on interest. But he adopted another way of advancing it more advantageous to the lender, and sometimes to the borrower. He would give 100*l.* for 20*l.* for seven years. Calamy's Church and Dissenters compared as to Persecution, p. 30.—*Ed.*

¶ Athen. Oxon. vol. 2. p. 476.

he was employed by the court to write the Mercurius Aulicus, a paper filled with most bitter invectives against the parliament, for which he was rewarded with this lectureship. After his ejectment he lived privately till the Restoration, when he was knighted, and chosen burgess in parliament for the borough of Wilton. He was also created LL.D. and master of the faculties, and died in 1679, leaving behind him, according to Wood, a very sorry character.*

Mr. Robert Waring, Camden history professor; he bore arms for the king in the garrison at Oxford, and was not elected to this professorship till after the visitation began. He was reckoned, says Wood, among the wits of the university, and was a good poet and orator. He died 1658.†

John Edwards, M. D. natural philosophy lecturer; who behaved rudely towards the visitors, and was therefore not only dispossessed of his preferment, but expelled the university;‡ but neither Wood nor Walker gives any character of him.

Peter Turner, M. D. Savilian professor of geometry; he served his majesty as a volunteer under the command of sir J. Byron, and being a zealous loyalist, was expelled the university by the visitors, after which he retired to London, and died 1650. He was a good mathematician, well read in the fathers, an excellent linguist, and highly esteemed by archbishop Laud.§

John Greaves, A. M. professor of astronomy, was sent by archbishop Laud to travel into the eastern parts of the world to make a collection of books in those languages.‖ After his return he was preferred to this professorship, but was ejected by the visitors, and November 9, 1648, expelled the university, for sending the college-treasure to the king, and other offences of the like nature. He died at

* Athen. Oxon. vol. 2. p. 476.

† Walker, p. 106. Athen. Oxon. vol. 2. p. 143.

‡ Walker, p. 113. § Wood, vol. 2. p. 84.

‖ This he did with indefatigable industry, and at the peril of his life. He also collected for archbishop Laud many oriental gems and coins. He took a more accurate survey of the pyramids than any traveller who went before him. During his stay at Rome, on his return from the east, he made a particular inquiry into the true state of the ancient weights and measures. He was a great man. Granger's History of England, vol. 3. p. 119, 120, 8vo.—Ed.

London 1652, with the reputation of a good scholar, having been well respected by Mr. Selden and others.*

Dr. Henry Hammond, university-orator, was a very learned man, and a great divine, highly esteemed by king Charles I. He assisted at the treaty of Uxbridge, and attended the king as his chaplain when he was permitted. After his ejectment he retired to the house of sir John Packington of Worcestershire, where he employed his time in writing several valuable and learned treatises in defence of the hierarchy of the church of England, and in the study of the New Testament. He died April 25, 1660.

The heads of colleges who succeeded those that were ejected by authority of parliament, were,

Dr. Edward Reynolds, vice-chancellor of the university, and dean of Christ-church in the place of Dr. Fell; he was probationer-fellow of Merton-college in the year 1620, which he obtained by his uncommon skill in the Greek tongue; he was a good disputant and orator, a popular divine, and in great esteem in the city of London, being preacher to the honourable society of Lincoln's-Inn. Mr. Wood confesses,† he was a person of excellent parts and endowments, of a very good wit, fancy, and judgment, and much esteemed by all parties for his florid style. Sir Thomas Brown adds, that he was a divine of singular affability, meekness, and humility; of great learning, a frequent preacher, and a constant resident. He conformed at the Restoration, and was made bishop of Norwich, and died 1676.

Dr. John Wilkins, promoted to the wardenship of Wadham-college in the place of Dr. Pit. He was educated in Magdalen-hall, and was chaplain to Charles count-palatine of the Rhine. A little before the Restoration he came to London, and was minister of St. Lawrence-Jewry, and preacher to the society at Lincoln's-Inn. Mr. Wood admits,‡ that he was a person of rare gifts, a noted theologist and preacher, a curious critic, an excellent mathematician, and as well seen in mechanism and the new philosophy as any in his time. In the year 1656 he married the sister of O. Cromwell, then lord-protector of England, and had the headship of Trinity-college in Cambridge conferred upon him, which is the best preferment in that university. He

* Walker, p. 125. † Athen. Oxon. vol. 2. p. 421. ‡ Ibid. p. 371.

was afterward a member of the Royal Society, to which he was a considerable benefactor. Dr. Burnet says, that bishop Wilkins was a man of as great a mind, as true a judgment, of as eminent virtue, and as good a soul, as any he ever knew. Archbishop Tillotson gives him an equal character; and several members of the Royal Society acknowledge him to have been an ornament to the university and the English nation. He was created bishop of Chester in the year 1668, and died of the stone in the house of Dr. Tillotson 1672.*

Dr. Joshua Hoyle, preferred to the headship of University-college in the room of Dr. Walker; he was educated at Magdalen-hall, Oxford, but being invited into Ireland became fellow of Trinity-college, and professor of divinity in the university of Dublin. In the beginning of the Irish rebellion he came over to England, and was made vicar of Stepney, a member of the assembly of divines, and at length master of this college, and king's professor of divinity in the room of Dr. Sanderson. Mr. Wood says,† he was a person of great reading and memory, but of less judgment. He was exactly acquainted with the schoolmen, and so much devoted to his book, that he was in a manner a stranger to the world; he was indefatigably industrious, and as well qualified for an academic as any person of his time. He died 1654.

Dr. Daniel Greenwood, principal of Brazen-nose-college, in the room of Dr. Radcliffe; he had been fellow

* To Mr. Neal's character of bishop Wilkins it may be added, that he was a man of an enlarged and liberal mind, which shewed itself in his great moderation on the points agitated between the conformists and nonconformists; and in his free generous way of philosophizing. He disdained to tread in the beaten track, but struck out into the new road pointed out by the great lord Bacon. He formed institutions for the encouragement of experimental philosophy, and the application of it to affairs of human life, at each university: and was the chief means of establishing the Royal Society. His chimeras were those of a man of genius.—Such was his attempt to shew the possibility of a voyage to the moon; to which the dutchess of Newcastle made this objection: "Doctor, where am I to find a place for baiting at, in the way up to that planet?" "Madam (said he), of all the people in the world, I never expected that question from you, who have built so many castles in the air, you that may lie every night at one of your own." Granger, *ut supra*, the note.—His character was truly exemplary, as well as extraordinary. His great prudence never failed in any undertaking. Sincerity was natural to him. With a greatness of mind he looked down upon wealth as much as others admire it. What he yearly received from the church, he bestowed in its services: and made no savings from his temporal estate; acting up to his frequent declaration, "I will be no richer." Birch's Life of Tillotson, p. 405, 406. Granger's History of England, vol. 3. p. 247, 248. 8vo. and Lloyd's Funeral Sermon, p. 41—43.—Ed.

† Athen. Oxon. vol. 2. p. 113.

of the college for a considerable time, and had the reputation of a profound scholar and divine. Mr. Wood says,* he was a severe and good governor, as well in his vice-chancellorship as in his principalship; he continued in his college with an unspotted character till the Restoration, when he was ejected by the king's commissioners, after which he lived privately till 1673, when he died.

Dr. John Wilkinson had been principal of Magdalen-hall before the civil wars, but when that university was garrisoned by the king, he fled into the parliament's quarters, and was succeeded by Dr. Thomas Read, who was admitted by the king's mandate, October 16, 1643, but in 1646 Dr. Wilkinson was restored. The year following (1647) he was made president of Magdalen-college in the room of Dr. Oliver; he was a learned and pious man, died January 2, 1649, and was buried in the church of Great-Milton, Oxfordshire.

Dr. Henry Wilkinson, junior, commonly called Dean Harry, principal of Magdalen-hall; he was a noted tutor and moderator in his college before the commencement of the civil wars, upon the breaking out of which he left Oxford and came to London, but when that city was surrendered to the parliament he returned to the university, and was created D. D. made principal of his hall, and moral philosophy professor in the room of Mr. Birkenhead. Mr. Wood says,† that he took all ways imaginable to make his house flourish with young students: that he was a frequent and active preacher, and a good disciplinarian; for which reason the heads of the university persuaded him earnestly to conform at the Restoration, that they might keep him among them, but he refused. After his ejectment he suffered for his nonconformity, by imprisonments, mulcts, and the loss of his goods and books; though, according to the same author, he was very courteous in speech and carriage, communicative of his knowledge, generous, charitable to the poor, and so public-spirited, that he always regarded the common good more than his own private concerns. He published several learned works, and died 1690, æt. 74.

Dr. Robert Harris, president of Trinity-college in the room of Dr. Potter, was educated in Magdalen-hall, and had been a famous preacher in Oxfordshire for about forty

* Wood's Fasti, vol. 3. p. 770. † Athen. Oxon. vol. 2. p. 646.

years; upon the breaking out of the war he came to London, where he continued till appointed one of the visitors of the university, and head of this college, over which he presided ten years, though he was now seventy. He was a person of great piety and gravity, an exact master of the Hebrew language, and well versed in chronology, church-history, the councils, and fathers. He governed his college with great prudence, and gained the affections of all the students, who reverenced him as a father, though he had been stigmatized by the royalists as a notorious pluralist.—To which the writer of his life replies, that whatever benefices he might have been nominated to, he declared he did not receive the profits of them. The inscription upon his tombstone says, that he was "præses æternum celebrandus; perspicacissimus indolum scrutator, potestatis arbiter mitissimus, merentium fautor integerrimus," &c. He died 1658.*

Dr. Henry Langley, master of Pembroke-college in the room of Mr. Wightwick, was original fellow of his college, and made master of it in 1647. He kept his place till the Restoration, after which he set up a private academy among the dissenters; having the character of a solid and judicious divine, and being a frequent preacher. He died 1679.†

Dr. Francis Cheynel, president of St. John's college in the room of Dr. Bayly, was probationer-fellow of Merton-college in the year 1629, and afterward rector of Petworth, a member of the assembly of divines, and this year made president of that college, and Margaret professor in the room of Dr. Lawrence, both which he quitted after some time for refusing the engagement, and retired to his living at Petworth, from whence he was ejected at the Restoration. He was a person of a great deal of indiscreet zeal, as appears by his behaviour at the funeral of the great Mr. Chillingworth, already mentioned. Bishop Hoadly says, he was exactly orthodox, and as pious, honest, and charitable, as his bigotry would permit; and Mr. Echard adds, that he was of considerable learning and great abilities.‡

Dr. Michael Roberts, principal of Jesus-college in the room of Dr. Mansel, was a good scholar, and would, no doubt, have conformed at the Restoration, had he been in-

* Clarke's Lives, p. 314. † Wood's Fasti, vol. 2. p. 747. 771.
‡ Athen. Oxon. vol. 2. p. 245.

clined to have accepted any preferment, but he had resigned his principalship into the hands of the protector 1657, and being rich chose a private life.* He published a Latin elegy upon general Monk, duke of Albermarle, and died in Oxford 1679.

Dr. Edmund Staunton, president of Corpus-Christi college in the room of Dr. Newlin, was admitted fellow of this college *1616*, and afterward minister of Kingston-upon-Thames. He took the degrees in divinity 1634, and was afterward one of the assembly of divines. He kept his principalship till he was ejected by the king's commissioners at the Restoration; he was a diligent popular preacher, a good scholar, and continued his labours among the Nonconformists till his death, which happened 1671.†

John Palmer, M. D. warden of All-Souls in the room of Dr. Sheldon, had been bachelor of physic of Queen's college, and was now created M. D. in presence of the chancellor; he was a learned man, and held his preferment till his death, which happened March 4, 1659; at which time, there being a near prospect of the restoration, Dr. Sheldon was restored to his wardenship.‡

Upon the death of Dr. *Pink*, the visitors nominated old Mr. White of Dorchester to succeed him, but I think he refused it, being very much advanced in years.§

The professors of sciences, who succeeded the ejected ones, were,

Dr. Seth Ward, professor of astronomy in the place of Dr. Greaves, and, according to Mr. Wood, the most noted mathematician‖ and astronomer of his time; he was educated in Sidney-college, Cambridge, and in the year *1643*, ejected for adhering to the king, but having afterward changed his mind, he made friends to the committee for reforming the university of Oxford, and was nominated to this prefer-

* Fasti, vol. 2. p. 752. † Athen. Oxon. vol. 2. p. 352, 353.

‡ Fasti, vol. 2. p. 747. § Wood's Fasti, p. 68.

‖ He was the first who brought mathematical learning into vogue in the university of Cambridge. He was a close reasoner and an admirable speaker, having, in the house of lords, been esteemed equal, at least, to the earl of Shaftesbury. He was a great benefactor to both his bishopricks: as by his interest, the deanery of Berien in Cornwall was annexed to the former, though it has been since separated from it; and the chancellorship of the garter to the latter. He was polite, hospitable, and generous. He founded in his lifetime the college at Salisbury for the reception and support of ministers' widows; and the sumptuous hospital at Buntingford in Hertfordshire, the place of his nativity. Granger's History of England, vol. 3. p. 244, 245, 8vo.—Ed.

ment; he was afterward master of Trinity-college, and upon his majesty's restoration preferred, first to the bishoprick of Exeter, and then to that of Salisbury, where he died 1668.*

Dr. John Wallis, Savilian professor of geometry in the room of Dr. Turner; the fame of this gentleman's learning is well known to the world; he was of Emanuel-college, Cambridge, and afterward fellow of Queen's college in the same university, then minister of St. Martin's, Ironmonger-lane, London, one of the scribes in the assembly of divines, and now, by the appointment of the committee, geometry professor;† he conformed at the Restoration, and maintained his post, and was an ornament to the university to a very advanced age.‡

Lewis du Moulin, M. D. of the university of Leyden, Camden professor of history in the place of Mr. Robert Waring, was incorporated in the same degree at Cambridge, 1634; he was son of the famous Peter du Moulin, the French Protestant, and kept his preferment till the Restoration, when he was turned out by his majesty's commissioners, and persisted in his nonconformity till his death. He was a valuable and learned man, as appears by his writings; but Mr. Wood observes,§ he was a violent Independent, and ill-natured: he died in London 1680.

Joshua Crosse, LL.D. natural philosophy reader in the room of Dr. Edwards, and one of the proctors of the university; he was fellow of Magdalen-college, and kept his reader's place till the Restoration, after which he lived privately in Oxford till his death, which happened in 1676. He was a gentleman much honoured for his becoming conversation.‖

Ralph Button, A.M. university-orator in the room of Dr. Hammond, and one of the proctors of the university; he was originally of Exeter-college, where he made so great a progress in philosophy, and other literature, that when he was

* Athen. Oxon. vol. 2. p. 627, 628. † Wood's Fasti, p. 72. 106.

‡ Mathematical science is greatly indebted to Dr. Wallis, for several important improvements and inventions. The modern art of deciphering was his discovery: and he was the author of the method of teaching deaf and dumb persons to speak, and to understand a language. His English grammar, in which many things were entirely his own, shewed at once the grammarian and the philosopher. Granger's History of England, vol. 3. p. 286, 8vo. He is said to have applied his art of deciphering to the king's letters taken at Naseby. Ed.

§ Wood's Fasti, vol. 2. p. 753, 734. ‖ Calamy's Abridg. p. 58.

only bachelor of arts he was recommended by Dr. Prideaux to stand for a fellowship in Merton-college, and was accordingly chosen 1633. He was afterward a celebrated tutor in his house, but was obliged to quit Oxford in the beginning of the civil wars, because he would not bear arms for the king. When the war was over he resumed his employment as tutor, and upon the refusal of Edward Corbet was made canon of Christ-church, and university-orator; he was ejected at the Restoration, and afterward taught academical learning at Islington, near London, till 1680, when he died. He was an excellent scholar, a most humble upright man, and a great sufferer for nonconformity.*

Mr. John Harman, A. M. professor of the Greek language in the room of Dr. Stringer, was educated in Magdalen-college, and took his degrees 1617; he was afterward master of the free-school at St. Albans, and one of the masters of Westminster-school; from thence he was removed to the Greek professorship in this university. He was, says Mr. Wood,† a great philologist, a tolerable Latin poet, and one of the most excellent Grecians of his time, but otherwise an honest weak man. He was turned out at the Restoration, and afterward lived privately at Steventon in Hampshire till the year 1670, when he died.

These were all the changes that were made among the heads of colleges and professors at this time; and upon the whole, though it must be allowed that many of the ejected loyalists were men of learning and great merit, it is certain, those that kept their places, and the successors of such as were ejected, were men of equal probity and virtue, and no less eminent in their several professions, as appears by the monuments of their learning, some of which are remaining to this day.

The very enemies of the new heads of colleges have confessed, that they were strict in the government of their several houses, that they kept a more than common watch over the morals of the students, and obliged them to an exact compliance with their statutes. The professors were indefatigable in instructing their pupils both in public and private; drunkenness, oaths, and profanation of the Lord's day, were banished; strict piety, and a profession of religion, were in fashion; the scholars often met together for prayer

* Calamy's Abridg. p. 60. † Athen. Oxon. vol. 2. p. 347, 348.

and religious conference; so that, as Mr. Philip Henry, who lived then in the university, observes, "If those of the old spirit and way were at first the better scholars, these were the better men."

Let the reader now judge of the spirit and candour of those writers, who insinuate, "that the new professors could neither pronounce Latin, nor write English; that in the room of the ejected loyalists there succeeded an illiterate rabble, swept up from the plough-tail, from shops, and grammar-schools, and the dregs of the neighbouring university; that the muses were driven from their ancient seats; that all loyalty, learning, and good sense, were banished; and that there succeeded in their room nothing but barbarism, enthusiasm, and ignorance, till the dawn of the Restoration."* Lord Clarendon was a declared enemy to these changes, and has painted them in the most odious colours, yet the force of truth has obliged him to confess, that "though it might have been reasonably expected, that this wild and barbarous depopulation (as he calls it) would have extirpated all the learning, religion, and loyalty, which had flourished there, and that the succeeding ill husbandry, and unskilful cultivation, would have made it fruitful only in ignorance, profaneness, atheism, and rebellion; yet by God's wonderful providence that fruitful soil could not be made barren by all that stupidity and negligence; it choked the weeds, and would not suffer the poisonous seeds that were sown with industry enough, to spring up, but after several tyrannical governors mutually succeeding each other, and with the same malice and perverseness endeavouring to extinguish all good literature and allegiance, it yielded a harvest of extraordinary good knowledge in all parts of learning; and many who were wickedly introduced applied themselves to the study of good learning, and the practice of virtue, and had inclinations to that duty and obedience they had never been taught, that when it pleased God to bring king Charles II. back to his throne he found the university abounding in excellent learning, and devoted to duty and obedience little inferior to what it was before its desolation." Considering the ill-nature that runs through this paragraph, it must be acknowledged to be an unanswerable testimony to the learning and application of the new

* Walker's Suff. Cler. p. 140.

professors, and with equal justice it may be added, that the university was in a much better state for learning, religion, and good sense, at the Restoration, than before the civil wars, as all the eminent philosophers and divines of the establishment, who did so much honour to their country in the three succeeding reigns, owed their education to these professors, viz. the Tillotsons, Stillingfleets, Patricks, Souths, Caves, Sprats, Kidders, Whitbys, Bulls, Boyles, Newtons, Lockes, and others. The university was in high reputation in foreign parts, and produced as many learned performances as in any former period. So that admitting the new professors were not introduced into their places in a legal way, according to the statutes, because of the necessity of the times, yet it is certain, they proved wise and watchful governors, strict observers of their statutes, and industrious promoters of piety and the liberal arts; and were far from deserving the brand of "ignorant, illiterate, hypocritical blockheads, enemies to the legal constitution of their country," or of being pronounced unworthy the high preferments they enjoyed.

There were no doubt, at first, very considerable vacancies in the several colleges; many of the fellows and scholars being dead, or killed in the king's service, and others having resigned their places in the university for benefices in the church, besides those who were expelled by the visitors as already mentioned; but to supply the deficiency of fellows and tutors, the committee encouraged several learned graduates in the university of Cambridge to translate themselves to Oxford, and accept of preferments according to their merits. Many who had deserted the university when it became a garrison for the king, returned to their colleges, and were promoted according to their seniority. Great numbers of youth, who had been kept at home because of the public commotions, were now sent to Oxford by their parents to perfect their education; and if it be considered farther, that there had been no admissions from Westminster, Eton, St. Paul's, Merchant-Taylors', and other public schools, for five or six years past, it is not to be wondered that there was an unusual flow of youth to the university at this time, so that the damage occasioned by this revolution of affairs was quickly repaired, and the muses returned to their ancient seats.

The long interruption of education in the university produced a very great scarcity of orthodox and learned ministers in the countries, some being silenced for refusing the covenant, and others dispersed, or killed in the wars. Many pulpits also were vacant by reason of the scandal or insufficiency of the incumbents, which was one occasion of the increase of lay-preachers, for the country people would go to hear any body rather than have no sermons; besides, the Presbyterian clergy would authorize none to preach, except such as would take the covenant, and consent to their discipline. To remedy these evils, the northern counties petitioned the houses to erect a new university in the city of York, but the confusion of the times prevented their prosecuting the design. The Independents, who were less zealous about clerical orders, encouraged or at least connived at the lay-preachers, apprehending that in cases of necessity, pious men of good natural parts might exercise their gifts publicly to the edification of the church; till under this cover they saw every bold enthusiast almost begin to usurp the office of a teacher. To bring things therefore into a little better order the following petition was presented to both houses of parliament, October 6, under the title of "The humble petition of many citizens of London, and others."

"Your petitioners are deeply sensible of the extreme want of preaching the gospel throughout this kingdom, there being many hundreds of towns and villages altogether destitute of any preaching ministers, and many others are not well supplied; by reason whereof ignorance, drunkenness, profaneness, disaffection to the parliament, and to others in authority, every where abound, there being scarce so much as the face of religion in many places. There is a great cry of people from several counties of the kingdom, for men to preach to them the word of eternal life; and there are many men of competent gifts and abilities, of good life and honest conversation, who being willing to employ their talents in the Lord's work, and to submit themselves for approbation to moderate and judicious men, are yet, by occasion of some scruples about ordination, discouraged from engaging in this work of publishing the gospel, wherein they might be helpful to many. And seeing that in the days of queen Elizabeth, upon occasion of people's necessities, many such men were sent forth to publish the gospel, who

had no formal act of ministerial ordination passed upon them, whose endeavours the Lord blessed to the good of many souls, and the furthering of the kingdom's peace; and since also we nothing doubt, but the propagation of the gospel throughout this kingdom, and the information of men in the things of their peace, and the peace and safety of the kingdom, are worthy of your greatest zeal, and are not the least of your care:

"Therefore your petitioners humbly pray, that those who shall be approved of as men meet to dispense the mysteries of the gospel, by such judicious, moderate, and able men, whom you in wisdom shall appoint thereunto, may receive from this honourable house encouragement and protection in preaching the gospel in any place of this kingdom, or dominion of Wales, where need requires, that so the word of the Lord may have free course and be glorified; ignorant men may be instructed; drunkenness, profaneness, and disaffection to the parliament, and to others in authority, may be abandoned; and both the temporal and spiritual peace and prosperity of all sorts of men be the more advanced."*

The houses thanked the petitioners for their good affection, but did nothing upon it.

By an ordinance of February 11, this year, "all stage-players were declared to be rogues punishable by the acts of the 39th of queen Elizabeth and 7th of king James, notwithstanding any licence they might have from the king, or any other person. All stage galleries, seats, and boxes, are ordered to be pulled down by warrant of two justices of peace; all actors in plays for time to come being convicted shall be publicly whipped, and find sureties for their not offending in like manner for the future; and all spectators of plays for every offence are to pay five shillings."†

The controversies about church-government, and liberty of conscience, ran still as high as ever; the Presbyterians, who had the government of the city of London in their hands, were for pressing covenant-uniformity in their sermons, which the Independents, and others of more Catholic principles, endeavoured to oppose with all their might. Lord Clarendon is pleased to represent this in a ludicrous manner; "The pulpit-skirmishes (says his lordship) were now

* Rushworth, p. 854. † Scobel, p. 143.

higher than ever; the Presbyterians in those fields losing nothing of their courage; having a notorious power in the city, notwithstanding the emulation of the Independents, who were more learned and rational, who, though they had not so great congregations of the common people, yet infected and were followed by the most substantial citizens, and by others of better condition. To these men Cromwell and most of the officers of the army adhered; but the divinity of the times was not to be judged by the preaching and congregations in churches, which were now thought not to be the fit and proper places of devotion and religious exercises, where the bishops had exercised such illimited tyranny, and which had been polluted by their consecrations. Liberty of conscience was now become the great charter, and men who were inspired preached and prayed when and where they would. Anabaptists grew very numerous, with whom the Independents concurred, so far as to join with them for the abolishing of tithes, as of Judaical institution —If any honest man could have been at so much ease as to have beheld the prospect with delight, never was such a scene of confusion as had spread itself at this time over the whole kingdom."* And yet it is certain, that the laws against vice and immorality were strictly executed, the Lord's day was duly observed, the churches were crowded with attentive hearers, family devotion was in repute, neither servants nor children being allowed to walk in the fields, or frequent the public houses. In a word, notwithstanding the difference of men's opinions, and political views, there was a zeal for God, and a much greater appearance of sobriety, virtue, and true religion, than before the civil war, or after the blessed Restoration.

Among the Puritan divines who died this year, was the reverend Mr. Herbert Palmer, B. D. of whom mention has been made among the Cambridge professors; his father was sir Thomas Palmer, of Wingham in Kent, his mother the eldest daughter of Herbert Pelham of Sussex, esq.† Our divine was born at Wingham, and baptized there March 29, 1601; he had a polite education in his father's house, and learned the French language almost as soon as he could speak. In the year 1615, he was admitted fellow-commoner

* Clarendon, vol. 5. p. 115, 116.
† Clarke's Lives in his Martyrology, p. 183.

in St. John's college, Cambridge. In 1622, he took the degree of M. A. In 1623, he was chosen fellow of Queen's college in that university; the year following he was ordained to the ministry, to which he had devoted himself from his infancy: his first exercise was at a lecture in the city of Canterbury, where he preached once a week, till it was put down with the rest of the afternoon-sermons. In the year 1632, he was presented by archbishop Laud to the vicarage of Ashwell in Hertfordshire, where he preached twice every Lord's day, and catechised the children of his parishioners. The same year he was chosen one of the university-preachers of Cambridge, by which he had authority to preach, as he should have occasion, in any part of England. In the year 1640, he and Dr. Tuckney were chosen clerks of the convocation for the diocess of Lincoln. In the year 1643, he was called to be a member of the assembly of divines at Westminster, and after some time chosen one of their assessors, in which place he behaved with great wisdom and integrity. April 11, 1644, he was constituted master of Queen's college, Cambridge, by the earl of Manchester; here he set himself industriously to the promoting of religion and learning, being very solicitous that none should be admitted to a scholarship or fellowship in his college, but such as were qualified in both these respects, the good effects of which appeared in the reputation and credit of that society, beyond most others of the university in his time. Mr. Palmer was a gentleman of a low stature, and a weakly constitution, but indefatigable in business; his leisure was employed in works of devotion and charity, and as he had a competent estate, and chose a single life, he had an opportunity of doing a great deal of good; he maintained several poor scholars at his own expense in the college, and when he died left a considerable benefaction to the same purpose. His last sickness was not long, his constitution being spent; but his behaviour was uncommon; he looked the king of terrors in the face with an unshaken resolution, and resigned his life this summer with a firm expectation of the mercy of God to eternal life, in the forty-sixth year of his age, and was buried at the new church at Westminster.

Mr. Henry Wilkinson, B. D. was born in Yorkshire, and educated at Merton-college, Oxford. In the year 1586, he was chosen probationer-fellow, and proceeded in arts; after

some time he was made B. D. and in the year 1601, became pastor of Waddesdon in Bucks. He was a person of considerable learning and piety, and being an old Puritan, says Mr. Wood,* was elected one of the assembly of divines in 1643, but he spent the chief of his time and labours among his parishioners at Waddesdon, by whom he was greatly beloved; here he died in a very advanced age, March 19, 1647—8, and lies buried in his own church.

Mr. John Saltmarsh, descendant of an ancient family in Yorkshire, was educated in Magdalen-college, Cambridge, and graduated there; he was esteemed a person of a fine active fancy, no contemptible poet, and a good preacher; he was first minister at Northampton, afterward at Braisted in Kent, and at length chaplain in sir Thomas Fairfax's army, where he always preached up love and unity: he meddled not with presbytery or independency, but laboured to draw souls from sin to Christ. He published some treatises, by which it appears he was of Antinomian principles. The manner of his death was extraordinary; December the 4th, 1647, being at his house at Ilford in Essex, he told his wife he had been in a trance, and received a message from God which he must immediately deliver to the army. He went that night to London, and next day to Windsor; being come to the council of officers he told them, that the Lord had left them; that he would not prosper their consultations, but destroy them by divisions among themselves, because they had sought to destroy the people of God, those who had stood by them in their greatest difficulties. He then went to the general, and without moving his hat told him, that God was highly displeased with him for committing of saints to prison. The like message he delivered to Cromwell, requiring him to take effectual means for the enlargement of the members of the army, who were committed for not complying with the general council. He then took his leave of the officers, telling them, he had now done his errand, and must never see them any more. After which he went to London, and took leave of his friends there, telling them his work was done, and desiring some of them to be careful of his wife. Thursday December 9, he returned to Ilford in perfect health; next day he told his wife, that he had now finished his work, and must go to his Father.

* Athen. Oxon. vol. 2. p. 59.

Saturday morning, December 11, he was taken speechless, and about four in the afternoon he died.*

CHAP. X.

THE SECOND CIVIL WAR. THE CONCLUSION OF THE ASSEMBLY OF DIVINES. THE PROGRESS OF PRESBYTERY. THE TREATY OF THE ISLE OF WIGHT. DEATH AND CHARACTER OF KING CHARLES I. HIS WORKS. AND, THE AUTHORS OF HIS UNHAPPY SUFFERINGS. ANNO 1648.

THE king was all last winter a close prisoner in Carisbrook-castle, attended only by two servants of his own, and debarred of all other conversation, without the knowledge of the governor; nevertheless, by the assistance of some particular friends, he sent and received several letters from the queen, though his correspondence was discovered oftener than he was aware. His majesty made several attempts to escape, but was always prevented; captain Burley attempted to raise the island for him, but was apprehended and executed. However, in pursuance of the secret treaty with the Scots, already mentioned, an army was raising in that kingdom, to be commanded by duke Hamilton; but the English cavaliers, impatient of delay, without concerting proper measures among themselves, or with the Presbyterians, took up arms in several counties, to deliver the king from his confinement, and to restore him without any treaty with his parliament. The Welsh appeared first, under major-general Langhorn, colonel Poyer, and Powel, three officers in the parliament-army, who had privately accepted commissions from the prince of Wales.† These were followed by others in Dorsetshire, Devonshire, Sussex, Surrey, Lincolnshire, Norfolk, Kent, Northamptonshire, Essex, and in the city of London itself. The insurrection in the city began on Sunday April 9, in Moorfields, by a company of young fellows with clubs and staves, crying out, for God and king Charles. But after they had done some mischief

* Rushworth, p. 944. † Ibid. p. 1007.

in the night and frighted the mayor into the Tower, they were dispersed next morning by the general at the head of two regiments. The Kentish men under the earl of Norwich, having plundered some houses, were defeated near Maidstone, and having a promise of pardon, the main body laid down their arms; notwithstanding which, the earl with five hundred resolute men crossed the Thames at the Isle of Dogs, and came as far as Mile-end green, expecting assistance from the city; but being disappointed, he joined the Essex cavaliers under sir Charles Lucas and lord Capel, who surprised the parliament's committee at Chelmsford, and then shut themselves up in Colchester, where they maintained themselves against general Fairfax for ten weeks, till being reduced to the last extremity, they were forced to surrender at discretion, August 28;* after which the general marched round about the country, and having quieted all insurrections in those parts, returned to his head-quarters at St. Albans about Michaelmas. While Fairfax was in Kent and Essex, lieutenant-general Cromwell reduced the Welsh about the end of June. At the same time, the earl of Holland and duke of Buckingham appeared at the head of five hundred horse and some foot near Kingston-upon-Thames, but they were soon dispersed; the earl was taken prisoner at St. Neot's in Huntingdonshire by colonel Scroop, and the duke of Buckingham, with great difficulty, escaped into the Low Countries. About the same time several of the parliament's ships revolted to the prince of Wales, then in Holland, who went on board, and with prince Rupert, lord Hopton, and others, sailed to the coast of England, with a design to relieve Colchester; but

* Dr. Grey is displeased with Mr. Neal, that he does not inform his readers, what use general Fairfax made of the power with which this unconditional surrender invested him. He seized sir Charles Lucas and sir George Lisle, and made them instant sacrifices to military justice. All the prisoners exclaimed against this as an unusual piece of severity: and some historians have censured it as a bloody step. Mrs. Macaulay represents it as an instance of the humanity of the general, that, though he had been provoked by many irritating circumstances in the conduct of the besieged, he selected the two chief commanders only, to avenge the innocent blood they had caused to be spilt. The fact was, that these two gentlemen had shewn themselves most implacable; had prevented the soldiers from accepting terms of indemnity offered by the parliament in the beginning; that the besieged had been exposed to the utmost extremities of famine; and that the Independents regarded the engaging the kingdom in a second war as an unpardonable crime. When sir Charles Lucas urged that the sentence of the general was unprecedented, a parliament-soldier standing by told him, "that he had put to death with his own hand some of the parliament's soldiers in cold blood." At which he was dismayed. A few days after, a gentleman in mourning for sir Charles Lucas appearing in his presence, the king wept. Mrs. Macaulay's History, vol. 4. p. 362, 363. Whitelocke's Memorials, p. 328—330.—Ed.

although disappointed, he landed five hundred men about Deal and Sandwich, and blocked up the Thames' mouth; but when the earl of Warwick came up with the parliament's fleet, he sailed back to Holland, and most of the ships returned to the obedience of the parliament.

It was not without great difficulty that the king's friends in Scotland prevailed with the parliament of that kingdom to consent to the raising an army against England, the commissioners of the kirk and the whole body of their ministers being vehemently against it; and when it was put to the vote, eighteen lords and forty commoners entered their protests, from a strong suspicion, that by the vast resort of loyalists to Edinburgh, there was a private agreement between Hamilton and that party, to lay aside the covenant, and restore the king without any conditions; to prevent which the Scots parliament gave express orders, that none should be received into their army, or join with them at their entrance into England, except such as should take the covenant; but Hamilton, who betrayed their cause, found means to evade the order, by which means he ruined himself, and the party he intended to serve.*

The Scots army entered England July 11th, to the number of twenty thousand foot† and six thousand horse, under the command of duke Hamilton, and were afterward joined by sir Marmaduke Langdale at the head of four thousand foot, and seven or eight hundred horse; but these being Englishmen and cavaliers who had not taken the covenant, were not incorporated with the Scots forces, but were obliged to march a day before them, which was Hamilton's contrivance to evade his orders; nevertheless, they composed one army, Langdale being to receive all his orders from Hamilton, and to act only by his directions. But

* Rapin, vol. 2. p. 550. 553, folio. Hamilton's Memoirs, p. 339.—Bishop Burnet endeavours to exculpate the duke from such a charge, and imputes the miscarriage of the expedition, in which he was leader, to his yielding to the counsels of others. The bishop sets against the report of his betraying the army several instances of his generous and disinterested conduct, in his care to preserve the army and to act for the king's advantage, at the risk of his own liberty and safety. Memoirs of the Duke of Hamilton, p. 365.—Ed.

† Dr. Grey here censures Mr. Neal for often speaking at random: because bishop Burnet, on the authority of Turner the adjutant-general, says, that "the forces of the Scots amounted only to ten thousand foot and four thousand horse." Memoirs of Hamilton, p. 356. But it may afford a sanction to Mr. Neal's representation, that, since he wrote, Mrs. Macaulay and Mr. Hume have given the same estimate of the army, led by duke Hamilton into England. With these agree Whitelocke, Memoirs, p. 327.—Ed.

though there was a private understanding between the generals, the subalterns and soldiers of both parties were not acquainted with it, and had the same incurable jealousy of each other as formerly; from the same motive the Presbyterians in the parliament at Westminster commissioned their army to oppose the Scots, though they came into England with an avowed intention of restoring the king upon the terms of the covenant; which was the supreme object of their wishes.

It may seem surprising, however, that there was no good understanding between the two parliaments, when those of England sent commissioners to Edinburgh to accomplish it; but the Scots, being strongly persuaded that the parliament at Westminster was still governed by an army of Independents, all that Mr. Marshal and the rest could say was not sufficient to divert them from their enterprise, which is the easier accounted for, when the strength of the Hamiltonian faction, and their obligations to the king by their secret treaty, are considered. This engagement appears from the duke's letter to Lambert, in which he acquaints him, that he was commanded to enter England with an army, for *maintaining the solemn league and covenant; for settling religion; for delivering* the king from his base imprisonment; and freeing the parliament from the constraint put upon them.* The state of affairs had undergone a considerable change by the rising of the English cavaliers; the army was in the field, and divided into several distant parts of the kingdom, and the Presbyterians in as full possession of the government as ever; they were renewing the treaty with the king, and sending propositions to the Scots to join with them; but the good understanding between the two nations having been interrupted last winter, by the growing influence of the army, who were no friends to covenant-uniformity, the Scots would not be satisfied with the present diminution of their power, unless they were entirely disbanded, and therefore had not changed the instructions to their general. On the other hand, the parliament could not with safety disband their army while the cavaliers were in the field; nor could they forbid their opposing the Scots, who had joined the common enemy, and were marching into England with an armed force, to deliver the king from his

* Rushworth, p. 1194.

imprisonment, although they had concerted no measures with the two houses, or communicated their secret treaty with his majesty in the Isle of Wight. Thus the two parliaments of England and Scotland opposed each other, when both had the same views, and were actuated by the same principles. If the Scots army had been commanded by a general the Presbyterians could have confided in, and had marched directly for London without joining the cavaliers, the parliament of England would have gladly received them, and the citizens of London have opened their gates; for the English Presbyterians wished them well; but by joining the common enemy, who were in arms all over the kingdom, they were staggered; and duke Hamilton, who betrayed their cause by trifling away a whole month in the north, gave the English army, which was distributed into various parts, time to reunite and defeat all their enterprises.*

The Scots, invading England in this hostile manner, and in the midst of so many insurrections, awakened men's fears, and made them apprehend the cause was to be fought over again. And while the parliament was alarmed on every side, the English army gave them strong assurances they would stand by them, and march wheresoever the committee of the two houses (appointed to manage their motions) should direct. However, general Fairfax, who engaged heartily against the cavaliers, refusing to march against the Scots, because they had openly declared for the covenant, colonel Lambert was ordered into the north, with a flying squadron to harass them, till lieutenant-general Cromwell could come out of Wales to his assistance. The Scots having been joined by sir Marmaduke Langdale, who had seized the important town of Berwick, marched through Cumberland and Westmoreland into Lancashire without opposition; but upon the 17th of August, Cromwell, having joined Lambert and refreshed his troops, faced them near Preston with eight or ten thousand men, and after a sharp engagement with the cavaliers under sir Marmaduke Langdale, who were almost a day's march before the duke, routed the whole Scots army, and took eight or nine thousand prisoners, with all their artillery and baggage; Hamilton fled with three thousand horse, but was so closely pursued by

* Hamilton's Memoirs, p. 337. 345. 353, &c.

Lambert, that he surrendered without striking another stroke, and all his men were dispersed or made prisoners. Cromwell after this action pursued his victory, marching directly for Edinburgh, which opened its gates; and having entered the city and changed the magistracy to his mind, he left three regiments of horse to keep the country quiet, and returned into England October 11, laden with martial glory and renown.*

Before the army left London, and while their influence over the parliament continued, the commons, having taken into consideration the affair of settling the government, voted unanimously, that the government of the kingdom should be still by king, lords, and commons, and that the propositions at Hampton-court should be the ground-work for a settlement, which shews, that there was no design, as yet formed, of changing the government into a common-wealth, at least nothing appeared, though the agitators, who were the chief managers of the army, began to mutter, that if the king could not be brought to reason he must be set aside, and the duke of Gloucester, or one of his younger children, placed on the throne.†

The army had no sooner left the neighbourhood of the city, but the Presbyterians resumed the management of public affairs. May 5, the parliament resolved to maintain the solemn league and covenant, and to unite with the kingdom of Scotland upon the propositions of Hampton-court.‡ The militia of the city of London was restored to the lord-mayor and common-council; the eleven impeached members, and the seven peers, were discharged; and, in short, all that had been done against the Presbyterian greatness by the influence of the army last winter was reversed; so that as from August 6, 1647, to the beginning of May, 1648, the parliament may be supposed to have lain under some restraint from the army; from that time to the end of the treaty of the Isle of Wight, it was at full liberty, and entirely under Presbyterian direction.§ Petitions came now

* "So he did (says Dr. Grey), but it was in the same sense that a company of highwaymen or banditti would return laden with martial glory and honour, after obtaining a good booty from the lawful owners of it." This remark shews the strain and spirit of Dr. Grey's examination of Mr. Neal. Lord Clarendon, speaking of this transaction, with more truth and candour, calls it "this great victory."—Ed.

† Rushworth, p. 1074. ‡ Rapin, p. 504. 508. 511. 518.

§ Rushworth, p. 1127.

from divers counties, and from the city of London itself, for a personal treaty with the king; upon which the commons set aside their votes of non-addresses, and at the request of the lords consented to treat with the king, without his signing any preliminary propositions, hoping, as matters then stood, his majesty would not delay a moment to grant their demands, that he might be released from his confinement, and placed upon his throne, before the army should be at leisure to throw farther obstacles in the way: but here was the fatal oversight, the king and his friends would not condescend, nor the Presbyterians relax, till both were driven out of the field, and the army become irresistible.

Let the reader pause a little, and reflect with grief upon the miserable distractions of this unhappy kingdom; in this crisis were three or four powerful parties with separate views striving for mastery. The king, a close prisoner in the Isle of Wight, was the prize contended for; he had little or no weight to throw into either scale, though by signing the Scots treaty he was reputed the author of that invasion, and of the second civil war; the cavaliers were in arms to preserve the episcopal church of England; but having concerted no measures among themselves were easily dispersed. The Scots came into England in pursuance of the covenant, and the secret treaty in the Isle of Wight, but two mistakes ruined their enterprise; one was, their not communicating the contents of that treaty to the English Presbyterians, which they might have done by their commissioners without the knowledge of the English army, before they had marched into England; the other was, duke Hamilton's acting in concert with the English cavaliers, allowing them to march in the van, which gave their enemies in the parliament at Westminster a fair opportunity of engaging the whole military power of England against them; for without all doubt, if the duke had prevailed, not only the Independent but the Presbyterian cause had been betrayed into the hands of the cavaliers, which must in the end have been equally fatal to both parties, and lost them all the advantages of the war. This fatal conjunction broke the strength of the English Presbyterians, and played the game into the hands of a third party, who destroyed the other two. The army, with whom were the Independents, Anabaptists, and other sectaries, was governed by

the agitators, who had given up the king, and had an incurable aversion to the cavaliers, and all who adhered to them, as their most determined enemies; nor could they confide in the Presbyterians, because in all their past treaties they had seen themselves made a sacrifice to covenant-uniformity. Upon the whole, all parties were stiff in their demands, disunited in their councils, and infinitely jealous of each other. Among the Presbyterians, some were for fighting only with the cavaliers, and others for opposing the Scots as invaders. Some of the cavaliers were for restoring the king by their own valour, and others for availing themselves of the assistance of the Scots. The army was no less distracted; those who served under general Fairfax were unwilling to march against the Scots Presbyterians; those under Cromwell were for encountering every power that would not secure them that liberty of conscience for which they had been contending; and despairing of this not only from the king, but from the Scots and English Presbyterians, they unhappily ran upon those extravagant measures which ended in the destruction of the king and overthrow of the whole constitution.

Tantum religio potuit suadere malorum!

But to return: the assembly of divines having finished their main business, was reduced to a small number, most of the country ministers having returned home, and those who remained about London were employed chiefly in the examination of such ministers as presented themselves for ordination, or induction into livings; thus they subsisted till February 22, 1648—9, about three weeks after the king's death, having sat five years, six months, and twenty-two days, in which time they had one thousand one hundred and sixty-three sessions. They were afterward changed into a committee for the purposes last mentioned, and met every Thursday morning till March 25, 1652, when the long parliament being turned out of the house by Oliver Cromwell, they broke up without any formal dissolution.*

The works of the assembly, besides some letters to foreign churches, and occasional admonitions, were,

1. Their humble advice to the parliament for ordination of ministers, and settling the Presbyterian government.

* MS. *penes me.*

2. A directory for public worship.
3. A confession of faith.
4. A larger and shorter catechism.
5. A review of some of the thirty-nine articles.

The annotations on the Bible, which go under their name, were neither undertaken nor revised by them, but by a committee of parliament, who named the commentators, and furnished them with books; nor were they all members of the assembly, as appears by the following list.

Those with asterisms were not of the assembly.

	WAS WRITTEN BY
The commentary on the five books of Moses,	Rev. Mr. Ley, subdean of Chester
The two books of Kings,	Dr. Gouge
The two books of Chronicles,	
Ezra,	
Nehemiah,	
Esther,	
The Psalms,	*Mr. Meric Casaubon
Proverbs,	Mr. Francis Taylor
Ecclesiastes,	Dr. Reynolds
Solomon's Song,	*Mr. Smalwood, recommended by archbishop Usher
Isaiah,	Mr. Gataker
Jeremiah,	
Lamentations,	
Ezekiel,	* Mr. Pemberton in the first edition
Daniel, and the smaller Prophets,	* Bishop Richardson in the second
Matthew,	Mr. Ley
Mark,	
Luke,	
John,	
St. Paul's Epistles,	Dr. D. Featly; but his notes are broken and imperfect, the author dying before he had revised them.

There were two other persons concerned in this work, who might probably have the other parts of Scripture allotted them, not here mentioned, viz. Mr. Downham and Mr. Reading.

When posterity shall impartially review the labours of this assembly of divines, and consider the times in which they sat, they will have a just veneration for their memory; for though their sentiments in divinity were in many instances too narrow and contracted, yet with all their faults, amongst which their persecuting zeal for religion was not the least, they were certainly men of real piety and virtue, who meant well, and had the interest of religion at heart; and most of them possessed as much learning as any of their contemporaries; the names of Lightfoot, Selden,*

* Bishop Warburton here asks, with a sneer, "What had Selden here to do with

Gataker, Greenhill, Arrowsmith, Twisse, bishop Reynolds, Wallis, &c. will always meet with esteem from the learned world; and had they not grasped at coercive power, or jurisdiction over the consciences of men, their characters would have been unblemished. Mr. Baxter, who knew most of them, says, "They were men of eminent learning, godliness, ministerial abilities, and fidelity; and being not worthy to be one of them myself (says he) I may more fully speak the truth which I know, even in the face of malice and envy, that as far as I am able to judge by the information of history, and by any other evidences, the Christian world, since the days of the apostles, had never a synod of more excellent divines than *this* synod, and the synod of Dort."* The divine right of the Presbyterian government first threw them into heats, and then divided them, engaging them first with the parliament, and then with the Independents and Erastians; their opposing a toleration raised them a great many enemies, and caused a secession in their own body; for after they had carried the question of divine right, the Independents and Erastians deserted them, after which they found it very difficult to muster as many as would make a house. Had the parliament dissolved them at that juncture they had separated with honour, but they dwindled by degrees, as has been related; the business of the church being now translated to the provincial assemblies.

We have already remembered the two former of these assemblies; the third met May 3, this year, and chose the Rev. Mr. Whitaker moderator. In the fourth session they agreed to present a second petition to the parliament in the name of the province, humbly to desire, "1. That they would renew the consideration of their former petition. 2. That they would establish the two catechisms of the assembly of divines, and appoint them to be publicly taught throughout the kingdom. 3. That they would add their civil sanction to the new confession of faith. 4. That the directory for public worship may be better observed; and that better care may be taken for the observation of the Lord's day." In their twelfth session, October 6, they

ministers, Puritans, and persecutors?" The answer is, he was one of the Westminster assembly.—Ed.

* Baxter's Life, p. 73.

agreed to the report of their committee concerning the cause of the decay of religion, and of the increase of wickedness, which they say was chiefly owing to the want of able and settled ministers, there being above forty parish churches and congregations within the province which had no ministers settled among them by allowance of authority, a catalogue of which churches was subjoined. The reason of this defect being chiefly want of maintenance, they pray the houses, "to agree upon some method, that the dean and chapter lands, and the impropriations belonging to bishops, lying within this province, may be applied for the augmentation of the clergy's maintenance; and that there may be a fixed maintenance in every parish recoverable by the incumbent."

The fourth provincial assembly met November 3, the reverend Mr. Edmund Calamy moderator. In their third session, November 23, they ordered, that the several ministers of the province of London do begin the work of catechising; that they use the assembly's catechism, and no other; that the persons to be catechised be children and servants not admitted to the Lord's table; that the time be in the afternoon before sermon; and that they exhort their parishioners to encourage it. In their fourth session, November 30, they resolved, that the twelve classes of the province of London observe their course for ordination of ministers; and that at the close of every public ordination notice be given which classis is to ordain next. But the nation being in confusion, and the clouds gathering thick over their heads, they did little more this winter than keep a weekly fast* among themselves, to avert the judgment of God, which threatened the life of the king, and the dissolution of the whole government.

The county of Lancaster being formed into another Presbyterian province this year, assembled at Preston, February 7, 1648, and published a kind of pastoral letter, or solemn exhortation to the several churches within their

* Bishop Warburton's remark on this is, "These were glorious saints, that fought and preached for the king's destruction; and then fasted and prayed for his preservation, when they had brought him to the foot of the scaffold!" This remark goes on the supposition, that, to oppose the king's arbitrary views and measures was to fight and preach for his destruction. If it eventually proved so, from whence could it arise but from his adherence to his designs, till concessions came too late?—Ed.

province, to the practice of those duties that were requisite to the supporting and carrying on the Presbyterian discipline, subscribed by the reverend

Mr. James Hyatt, moderator;
Mr. Thomas Johnson, assessor;
Mr. Edward Gee, scribe.*

They likewise appointed a committee to examine the paper called The Agreement of the People [hereafter to be mentioned], and tendered to the consideration of the nation by the officers of the army, with a desire that they would by subscription declare their concurrence to it; but it was carried in the negative.† The design of this paper was, to change the form of government into a kind of commonwealth, without a king or house of lords. It was published by way of probation, that they might learn the sense of the nation; but the article relating to religion being peculiar, and giving great offence to the Presbyterian clergy, shall be transcribed entire: "We do not empower our representatives (say they) to continue in force, or make any laws, oaths, or covenants, whereby to compel by penalties, or otherwise, any person to any thing, in or about matters of faith, religion, or God's worship; or restrain any person from professing his faith, or exercise of his religion according to his conscience, in any house or place, except such as are or shall be set apart for the public worship. Nevertheless, the instruction or direction of the nation in a public way, for matters of faith, worship, or discipline, so it be not compulsive, or express Popery, is referred to their discretion." The Agreement adds, "It is intended that the Christian religion be held forth and recommended as the public profession in this nation, which we desire may, by the grace of God, be reformed to the greatest purity in doctrine, worship, and discipline, according to the word of God. The instructing the people thereunto in a public way, provided it be not compulsive; as also the maintaining of able teachers for that end, and for the confutation and discovery of heresy, error, and whatsoever is contrary to sound doctrine, is allowed to be provided by our representatives; the maintenance of teachers may be out of a treasury, and we desire not by tithes." But besides these, "all who profess faith in God by Jesus Christ, however

* Vol. Pamph. no. 73. † Rushworth, p. 1258.

differing in judgment from the doctrine, discipline, and worship, publicly held forth, shall be protected in the profession of their faith, and exercise of their religion according to their consciences, so as they abuse not this liberty to the civil injury of others, or the disturbance of the public peace." These were just and generous sentiments; however, the synod forbade their people to subscribe them, not only because the Agreement imported a change in the civil government, but because of the mischiefs that would attend a toleration; their reasons for which they published to the world March 6, 1648, subscribed by fifty-nine ministers.

The provincial assemblies of London met regularly every half year, to the year 1655, when finding themselves without power, and not being willing to apply* to the protector and his parliament for support they desisted; but there were none legally formed in any other counties of England. However, the country ministers entered into voluntary associations, and erected a sort of classes for ordination of ministers, and promoting friendship and peace among themselves, many of the Independent ministers joining with them: the associations met once a month, at one or other church in the county, and, after prayers and a sermon, conferred upon the state of religion, and gave their advice upon such cases as were brought before them in a neighbourly and friendly manner.

To return to the parliament, which was now recruited with such Presbyterian members as had absconded, or deserted their stations, while the army was quartered in the neighbourhood of the city; these gentlemen, finding they had the superiority in the house, resumed their courage, and took the opportunity of discovering their principles and spirit, in passing such a law against heretics as is hardly to be paralleled among Protestants.† It had been laid aside by the influence of the army for above nine months, till

* Bishop Warburton says, that they did apply to the protector, "and received such an answer as they deserved." A deputation of the London ministers went to him to complain, that the cavalier episcopal clergy got their congregations from them, and debauched the faithful from their ministers. "Have they so? (said the protector) I will take an order with them;" and made a motion, as if he was going to say something to the captain of the guards; when turning short, "But hold! (said he) after what manner do the cavaliers debauch your people?" "By preaching," replied the ministers. "Then preach back again," said this able statesman; and left them to their own reflections.—Ed.

† Scobel's Collect. cap. 114. p. 149.

May 1, when it was voted, that all ordinances concerning church-government referred to committees be brought in and debated; and that the ordinance concerning blasphemy and heresy be now determined, which was done accordingly. This was one of the most shocking laws I have met with in restraint of religious liberty, and shews, that the governing Presbyterians would have made a terrible use of their power, had they been supported by the sword of the civil magistrate.* The ordinance is dated May 2, 1648, and ordains, "that all persons who shall willingly maintain, publish, or defend, by preaching or writing, the following heresies with obstinacy, shall, upon complaint, and proof, by the oaths of two witnesses, before two justices of the peace, or confession of the party, be committed to prison, without bail or mainprise, till the next goal delivery; and in case the indictment shall then be found, and the party upon his trial shall not abjure his said error, and his defence and maintenance of the same, he shall suffer the pains of death,† as in case of felony, without benefit of clergy; and if he recant or abjure, he shall remain in prison till he find sureties that he will not maintain the same heresies or errors any more: but if he relapse, and is convicted a second time, he shall suffer death as before. The heresies or errors are these following:

1. "That there is no God.

2. "That God is not omnipresent, omniscient, almighty, eternal, and perfectly holy.

3. "That the Father is not God, that the Son is not God, that the Holy Ghost is not God, or that these three are not

* Mr. Neal has done himself honour by the strong terms of reprobation, in which he speaks of this intolerant, iniquitous, and cruel ordinance. It cannot be condemned in too severe terms: though Dr. Grey insinuates, that there was occasion for it in the "monstrous opinions," as he calls them, which prevailed in those times; and for which he refers to Edwards's Gangræna. "Besides the severity of the penalties, which this ordinance denounced, the mode of process which it appointed," as I have observed in another place, "was arbitrary and repugnant to the constitution of this country in particular, as well as opposite to the general principles of equity and justice: for it allowed neither the privilege of a jury, nor the liberty of an appeal. Such is the operation of religious bigotry." See a review of the life, character, and writings, of the Rev. John Biddle, p. 52. The nature of this ordinance is fully considered from p. 48 to 56.—Ed.

† Death, under Constantius the son of Constantine, was made the punishment of idolatry: the like sentence is here inflicted upon the worshippers of the only living and true God, the creator and governor of the world. "How fluctuating and convertible (observes an excellent writer) are all penal laws in religion?" Dr. Disney's Life of Dr. Jortin, p. 136, 137.—Ed.

one eternal God; or, that Christ is not God equal with the Father.

4. "The denial of the manhood of Christ, or that the godhead and manhood are distinct natures; or, that the humanity of Christ is pure and unspotted of all sin.

5. "The maintaining that Christ did not die, nor rise again, nor ascend into heaven bodily.

6. "The denying that the death of Christ is meritorious on the behalf of believers; or, that Jesus Christ is the Son of God.

7. "The denying that the Holy Scriptures of the Old and New Testament are the word of God.

8. "The denying of the resurrection of the dead, and a future judgment."

The ordinance proceeds to specify some other errors of less demerit, and says, "that whosoever shall maintain or defend them, shall, upon, conviction by the oaths of two witnesses, or by his own confession before two justices of peace, be ordered to renounce the said error or errors in the public congregation of the parish from whence the complaint comes, or where the offence was committed; and in case of refusal he shall be committed to prison till he find sureties that he shall not publish or maintain the said error or errors any more. The errors are these following:

1. "That all men shall be saved.

2. "That man by nature hath free will to turn to God.

3. "That God may be worshipped in or by pictures or images.

4. "That the soul dies with the body, or after death goes neither to heaven or hell, but to purgatory.

5. "That the soul of man sleeps, when the body is dead.

6. "That the revelations, or workings of the Spirit, are a rule of faith or Christian life, though diverse from or contrary to the written word of God.

7. "That man is bound to believe no more than by his reason he can comprehend.

8. "That the moral law contained in the ten commandments is no rule of the Christian life.

9. "That a believer need not repent, or pray for pardon of sin.

10. "That the two sacraments, of baptism and the

Lord's supper, are not ordinances commanded by the word of God.

11. "That the baptism of infants is unlawful and void; and that such persons ought to be baptized again.

12. "That the observation of the Lord's day, as enjoined by the ordinances and laws of this realm, is not according, or is contrary, to the word of God.

13. "That it is not lawful to join in public or family prayer, or to teach children to pray.

14. "That the churches of England are no true churches, nor their ministers and ordinances true ministers and ordinances; or, that the church-government by presbyters is antichristian or unlawful.

15. "That magistracy, or the power of the civil magistrate, by law established in England, is unlawful.

16. "That all use of arms, though for the public defence (and be the cause never so just), is unlawful."

This black list of heresies was taken from the speeches or writings of the Papists, Arminians, Antinomians, Arians, Baptists, and Quakers, &c. of these times. The ordinance was a comprehensive engine of cruelty,* and would have tortured great numbers of good Christians and good subjects. The Presbyterians of the present age are not only thankful that the confusion of the times did not permit their predecessors to put this law into execution, but wish also that it could be blotted out of the records of time, as it is impossible to brand it with the censure equal to its demerits.

June 21, the army being still in the field, and the parliament at liberty, the ordinance for the more effectual settling the Presbyterian government, without limitation of time, was read the second time and committed, and on the 29th of August it was perfected, and received the sanction of both houses, under the title of "A form of church-government to be used in the churches of England and Ireland."† It is a collection of the several ordinances for establishing the branches of presbyterial government already mentioned, and ordains, that "all parishes and places whatsoever within England and Wales shall be under the government of con-

* The indignation which the liberal mind feels at the principles and spirit of those, who, themselves recently suffering under the hard hand of intolerance, could frame and pass such a law, is somewhat relieved by finding that it did not pass without much opposition. Whitelocke's Memor. p. 302.—Ed.

† Scobel, cap. 117. p. 165.

gregational, classical, provincial, and national assemblies, except the houses or chapels of the king and his children, and of the peers of the realm, which are to continue free for the exercise of divine duties, according to the Directory, and not otherwise; it gives directions for the choice of ruling elders in every parish, and for proper persons to be judges of the qualifications of the persons chosen; it appoints commissioners to divide the whole kingdom into distinct classical presbyteries; it gives direction about the constituting of provincial and national synods, with the extent of their several powers; it determines the method of ordination of ministers, of dispensing church-censures, and suspension from the sacrament; and last of all, it gives direction for excommunication and absolution," but lays no penalty upon recusants, or such as do not come to the sacrament, or submit to their discipline; which was the utmost length that presbytery obtained in this kingdom.

The parliament having agreed to treat with the king without any preliminary conditions, sent the earl of Middlesex, sir John Hippisly, and Mr. Bulkely, to acquaint his majesty with their resolutions, and to desire him to appoint what place he pleased in the Isle of Wight for the congress: his majesty seemed pleased with the message, and sent a letter to the two houses August 10, desiring them to recall their votes, which forbade the access of his friends, and to direct that men of necessary use in this affair may be permitted to assist him; and that the Scots be parties in the treaty.* His majesty then appointed Newport in the Isle of Wight for the place of conference. To all which the lords agreed without any restriction; but the commons insisted, that no person lately in arms against the parliament be of the number; that the Scots be not included; and that if his majesty be at liberty as at Hampton-court, he pass his royal word not to go out of the island during the treaty, nor twenty-eight days after, without consent of parliament.

Upon these conditions his majesty was conducted to Newport, and left at liberty upon his parole of honour. Several noblemen, gentlemen, divines, and lawyers, were appointed to assist him in the treaty, who were to stand behind his majesty's chair and hear the debates, but not to

* Rushworth, vol. 2. p. 1236.

speak, except when the king withdrew into another room for their advice; the names of his divines were,* Dr. Juxon bishop of London, Dr. Duppa bishop of Salisbury, Dr. Sheldon, Dr. Hammond, Dr. Oldisworth, Dr. Saunderson, Dr. Turner, Dr. Haywood; and towards the end of the treaty Dr. Usher archbishop of Armagh, Dr. Bramhall, Dr. Prideaux, Dr. Warner, Dr. Ferne, and Dr. Morely; Dr. Brownrigge, bishop of Exeter, was also sent for, but he was under restraint. And Dr. Sheldon, Dr. Hammond, and Dr. Oldisworth, being also under restraint, were not permitted to stand.

The parliament appointed five noblemen, and ten commoners, with four divines, to assist them in their debates touching religion, viz. Mr. Vines, Mr. Caryl, Dr. Seaman, and Mr. Marshal. The treaty was to continue forty days, and to proceed upon the propositions of Hampton-court.† September 12, the parliament observed a day of public fasting and prayer, for a blessing; and some days after, the king and his household did the like, when after the public service the following prayer was read, drawn up by his majesty's direction.

"O most merciful Father, Lord God of peace and truth, we, a people sorely afflicted by the scourge of an unnatural war, do earnestly beseech thee to command a blessing from heaven upon this present treaty, begging for the establishment of a happy peace. Soften the most obdurate hearts with a true Christian desire of saving those men's blood for whom Christ himself hath shed his; or if the guilt of our great sins cause this treaty to break off in vain, Lord, let the truth clearly appear, who those men are, who under pretence of the public good do pursue their own private ends; that this people may be no longer so blindly miserable as not to see, at least in this their day, the things that belong to their peace. Grant this, gracious God, for his sake, who is our peace itself, even Jesus Christ our Lord." Amen.

* According to Dr. P. William's MS. collections, to which Dr. Grey pays great deference, the order was limited to Dr. Juxon and Dr. Duppa: and Dr. Sheldon, Dr. Hammond, and Dr. Oldisworth, were not permitted to go to the king, being under restraint. But Mr. Neal's list, except as to these three, is confirmed by Whitelocke, with this difference, that Dr. Usher, Bambridge, Prideaux, Warner, Ferne, and Morely, were not included in the first appointment; but were allowed to attend the king in consequence of a message from him on the 3d of November. Memor. p. 341.—Ed.

† Rapin, vol. 2. p. 559.

The conferences opened on Monday September 18, about nine in the morning, at the house of sir William Hodges. The first day the commissioners presented the king with a draught of three bills; the first to establish the Presbyterian government* for ever in the church of England; the second to relinquish the militia to the two houses for thirty years; and the third to recall all his majesty's declarations against the parliament. To the last of these the king readily consented, but excepted to the preamble, in which were these words, "that the two houses of parliament had been necessitated to enter into a war in their just and lawful defence.† Instead of which, the king proposed an act of indemnity; but the commissioners insisting peremptorily upon the words as those without which they could not be safe, his majesty with great reluctance consented, having first protested in writing, that no concession of his should be binding if the treaty broke off without effect. His majesty yielded the militia to the parliament for twenty years; and the management of the Irish war. He conceded to vacate those titles of honour that had been conferred since the carrying away the great seal, and to confirm the parliament's great seal. He agreed to the payment of the public debts, provided they were stated within two years; to confirm the charter of the city of London; to empower the parliament to confer offices, and constitute magistrates for twenty years; and to take away the court of wards, provided he might have 50,000*l.* a year in lieu of it.‡ His majesty consented farther, that those of his party whom they call delinquents§ should submit to a fine or be proscribed the court,

* "The utter extinction of episcopacy, and their setting up their own idol in its stead, was the superior consideration for which, it is plain, the Presbyterians had entered into the hazard of war: this was the chief cause of their quarrel with their old associates the Independents; and the not being fully gratified on this article by the king, was, in their eyes, losing the best fruits of their success. The parliament's commissioners with earnestness, and even tears, assured the king, that all his concessions would be useless, unless he gave up the point of episcopacy: he absolutely refused farther yielding on this article, and the parliament voted his concessions unsatisfactory." Macaulay's History of England, 8vo. vol. 4. p. 365, 366.—Ed.

† Rushworth, p. 1263.

‡ It appears, by Dr. Grey's authority, William's MS. collection, whose account is confirmed by the representations which Mr. Hume and Mrs. Macaulay give of this matter, that Mr. Neal is mistaken about the sum granted in lieu of the wards; which was not 50,000*l.* but 100,000*l.* Since this was written, I find the matter put out of all doubt by Whitelocke, p. 341, who says, that 100,000*l.* was the sum.—Ed.

§ Dr. Grey has given at length the act proposed by the parliament's commissioners relative to delinquents: whom the king absolutely refused to give up. "The severe repentance, which he had undergone for abandoning Strafford, had no doubt (remarks Mr. Hume) confirmed him in the resolution never again to be guilty of the like error."—Ed.

if the parliament saw fit; but he abhorred the thought of charging them with treason who had acted by his commission, and therefore absolutely refused to consent to it.

With regard to religion, his majesty agreed, October 2, that "the assembly of divines at Westminster be confirmed for three years; that the Directory and Presbyterian government be confirmed for the same time, provided that neither himself nor those of his judgment be obliged to comply with it; that a consultation in the mean time be had with the assembly, and twenty divines of his majesty's nomination, what form of church-government shall be established afterward, with a clause for the ease of tender consciences. His majesty consented farther, that legal estates for lives, or for a term of years not exceeding ninety-nine, should be made out of the bishops' lands and revenues, for the satisfaction of them that have purchased them, provided that the inheritance may still remain to the church, and the rest be preserved for their maintenance. His majesty will consent farther, to an act for the better observation of the Lord's day; for suppressing innovations in churches and chapels; for the better advancing of preaching God's holy word; and against pluralities and nonresidence. To an act for regulating and reforming the universities, and the colleges of Westminster, Winchester, and Eton; for the better discovery of Papists, and for the educating their children in the Protestant religion. To an act for better putting the laws in execution against Papists, and to prevent the hearing and saying mass; but as to the covenant, his majesty is not as yet satisfied to sign or swear to it, or consent to impose it on the consciences of others."*

These concessions about church-government being declared not satisfactory, as amounting only to a sort of interim, his majesty desired to confer with the parliament-divines for the satisfaction of his conscience, having been bred and instructed (as he said) in the way he stands for, by his father, the wisest king and best man in the world, and therefore could not easily yield. There is hardly any thing to be met with in this conference but what has been already taken notice of in his majesty's debate with Mr. Henderson, and in the answer of the Smectymnuan divines to bishop Hall, in the first volume of this history; and therefore it will be

* Rushworth, p. 1281.

the less necessary to enter into the particulars of the debate. His majesty proposed some scruples in law about the obligation of his coronation-oath, which the commissioners undertook to answer themselves; but the papers relating to the unalterable institution of episcopacy were referred to the divines on both sides, and were as follow:

The king's first paper.

Newport, October 2, 1648.

"CHARLES REX,

"I conceive that episcopal government is most consonant to the word of God, and of an apostolical institution, as it appears by the Scripture to have been practised by the apostles themselves, and by them committed and derived to particular persons as their substitutes or successors therein (as for ordaining presbyters and deacons, giving rules concerning Christian discipline, and exercising censures over presbyters and others),* and has ever since, till these last times, been exercised by bishops in all the churches of Christ; and therefore I cannot in conscience consent to abolish the said government.

"Notwithstanding this my persuasion, I will be glad to be informed, if our Saviour and his apostles did so leave the church at liberty, as they might totally alter or change the church-government at their pleasure, which if you can make appear to me, then I will confess that one of my great scruples is clean taken away, and then there only remains,

"That being by my coronation-oath obliged to maintain episcopal government, as I found it settled to my hands, whether I may consent to the abolishing thereof until the same shall be evidenced to me to be contrary to the word of God."†

The parliament-divines, in answer to the first part of his majesty's paper, admit, that the apostles did exercise the extraordinary powers his majesty mentions; but deny, that they conferred them upon any particular persons as their substitutes or successors, and insist, that in Scripture there are only two orders of officers, viz. bishops and deacons: Phil. i. 1, "To the saints at Philippi that are in Christ Jesus, with the bishops and deacons:" and that the name,

* Acts vi. 6. xiv. 23. 1 Cor. v. 3. xiv. and xvi. 1. 3 John ix. 10. 1 Tim. v. 19. 22. Titus i. 5. iii. 10. Rev. ii. 3.

† Rel. Carol. vol. 2. p. 245.

office, and work, of a bishop and presbyter are, the same, as in Titus i. 5, and 7; "For this cause I left thee in Crete—that thou shouldst ordain presbyters in every city; for a bishop must be blameless." Acts xx. 27, 28, Paul called the presbyters together, and charged them to "take heed to the flock over which the Holy Ghost had made them bishops."* 1 Pet. v. 1, 2, "The presbyters among you, I exhort, who also am a presbyter, feed the flock of God among you, performing the office of bishops."† As the apostles were extraordinary officers, so were Timothy and Titus, viz. evangelists, but neither of them are called bishops in Scripture, much less were they fixed to Ephesus or Crete, but travelled up and down to settle churches in several countries. They observe farther, that in the same order of officers there was not any one superior to another; no apostle above an apostle, no presbyter above a presbyter, nor one deacon above another. They add, that the angels of the churches in the Revelation are never called bishops, nor is the word used in any of St. John's writings, who calls himself a presbyter; from whence they argue the identity of these offices in Scripture, and the equality of the officers. They admit, that not long after the apostles' times bishops are reported to have some superiority above presbyters, but this was not a divine but an ecclesiastical institution, as is evident from the testimony of the most ancient fathers, and the most considerable writers in the Romish church; to which they add the suffrage of the first reformers in king Henry VIII.'s reign. The Erudition of a Christian Man, printed 1643, says expressly, that the Scripture mentions but two orders, i. e. bishops or priests, and deacons. They conclude with observing, that the modern episcopacy is very different from that which began to obtain in the second and third ages of the church, insomuch that the present hierarchy, being a human institution, might be abolished, and the other remain.

After three days his majesty, with the assistance of his learned divines, replied to the foregoing paper, and acknowledges, "that the words *bishop* and *presbyter* are sometimes confounded in Scripture; he admits, that presbyters are *episcopi gregis*, bishops of the flock; but that bishops are *episcopi gregis et pastorum* within their several pre-

* Ἐπισκοπους. † Ἐπισκοποῦντες.

cincts, i. e. bishops of the flock and of the pastors too; and that soon after, common usage appropriated bishop to the ecclesiastical governor, leaving presbyter to signify the ordinary minister or priest, as appears from the ancient fathers and councils. He admits the calling of the apostles and their gifts to be extraordinary, but adds, that their mission to govern and teach was ordinary and perpetual; that the bishops succeeded them in the former, and presbyters in the latter function.*

"His majesty still insists, that Timothy and Titus were bishops, as appears from antiquity, and by a catalogue of twenty-seven bishops of Ephesus lineally descending from Timothy, as is avouched by Dr. Reynolds against Hart; and therefore the distinction between an evangelist and a bishop is without foundation, the work of an evangelist being no more than diligence in preaching the word, notwithstanding all impediments, according to the apostle, 2 Tim. ii. 4, 5. His majesty observes, that the parliament-divines had said nothing to prove that the "angels of the churches" were not *personæ singulares*, and such as had a prelacy over pastors, i. e. bishops, but that they dealt only in generals, and seemed unwilling to speak their opinions about them.

His majesty affirms, "that bishops are the successors of the apostles in all things not extraordinary, such as teaching and governing; and the reasons why they are not mentioned as a distinct order in the New Testament, are, 1. Because the apostles reserved to themselves the government of those churches where they appointed presbyters, and so it is probable the Philippians had no bishop when Paul wrote to them. 2. Because in the Epistles to Timothy and Titus, the persons to whom he wrote being themselves bishops, there was no need to write about the qualifications of any other officers than those they wanted, which were presbyters and deacons only.

His majesty admits, concerning the ages after the apostles, "that they are but a human testimony, and yet may be infallible in matter of fact, as we infallibly know that Aristotle was a Greek philosopher, &c.; he avers the genuineness of those epistles of Ignatius, which give testimony to the superiority of a bishop above a presbyter; and though

* Rel. Carol. p. 260.

his majesty's royal progenitors had enlarged the power and privileges of bishops, he conceives the government to be substantially the same."

Eleven days after the parliament-divines replied to the king's second paper, in which they say, that they can find no such partition of the apostolical office in Scripture, as his majesty mentions, viz. that the governing part should be committed to bishops, the teaching and administering the sacraments to presbyters; but that the whole work *per omnia*, belongs to presbyters, as appears from the two words used in the Acts of the Apostles and St. Peter's Epistle, ποιμαίνειν, and ἐπισκοπεῖν, under the force of which words the bishops claim their whole right of government and jurisdiction; and when the apostle Paul was taking leave of the Ephesian presbyters and bishops, he commits the government of the church not to Timothy, who was then at his elbow, but to the presbyters, under the name of bishops made by the Holy Ghost: from whence they conclude, that bishops and presbyters must be only two names of the same order.* They observe, that the obscurity of church-history in the times succeeding the apostles made the catalogue-makers take up their succession upon report; and it is a blemish to their evidence, that the nearer they come to the days of the apostles, they are the more doubtful and contradictory. These divines are therefore of opinion, that human testimony on both sides ought to be discharged, and the point in debate be determined only by Scripture. And here they take hold of his majesty's concession, that in Scripture the names of bishops and presbyters are not distinguished: and that there is no mention but of two orders, bishops and deacons. They desire his majesty to shew them, where the Scripture has assigned any particular work or duty to a bishop that is not common to a presbyter, for they apprehend his majesty's asserting, that a bishop is an ecclesiastical governor, and a presbyter an ordinary minister, is without any demonstration or evidence; a few clear passages of Scripture for the proof of this (they say) would bring the point to an issue. They deny his majesty's distinction of *episcopi gregis et pastorum*, bishop of sheep and shepherds, as being the point in question, and affirmed without any evidence.—That the office of teaching and governing was ordinary in

* Rel. Carol. p. 277.

the apostles, because continued in the church, we crave leave to say, is that great mistake which runs through the whole file of your majesty's discourse; for though there be a succession in the work of teaching and governing, there is no succession in the commission or office, by which the apostles performed them; a succession may be to the same work, but not to the same commission; and since your majesty cannot produce any record from Scripture warranting the division of the office of teaching and governing into two hands, we must look upon it as an invention of men to get the power into their hands.

These divines go on with a long proof that Timothy and Titus were evangelists; that is, not fixed to one place, but travelling with the apostles from one country to another to plant churches, and accordingly have drawn out an account of their travels from the Acts of the Apostles, and St. Paul's Epistles. They observe the weakness of his majesty's reasons, why bishops are not mentioned as a distinct order in Scripture, and add a third of their own, viz. because really they were not. As for the apostles reserving in their own hands the power of governing, they admit, that they could no more part with it than with their apostleship. Had they set up bishops in all churches, they had no more parted with their power of governing, than in setting up presbyters; presbyters being called rulers, governors, and bishops; nor could the apostles reasonably be supposed to commit the government of the church of Ephesus to the presbyters, when he was taking his last farewell of them, and yet reserve the power of governing, in ordinary, to himself. His majesty's other reason, they say, is inconclusive, and in short begging the question. They add, that it is very unaccountable, that if there had been two sorts of bishops, one over presbyters, and the other over the flock, that there should be no mention, no mark of difference, no distinct method of ordination, by which they might be distinguished, throughout the whole New Testament.

As to the ages after the apostles, they admit there were presbyter bishops, but not of divine institution; that the catalogues of succession are undoubtedly defective, but if they were not, it remains still to be proved, that the bishops in the catalogue were vested with the jurisdiction which the modern bishops claim.

These divines profess to honour the pious intentions of his majesty's ancestors, and admit, that ornamental accessions to the person make no substantial change in the office, but that the primitive episcopacy, and the present hierarchy, are essentially different. They acknowledge a subordination of the exercise of jurisdiction to the civil power, and the laws of the land; and conclude with thanks to his majesty's condescension, in allowing them to examine his learned reply, clothed in such excellence of style, and pray, that a pen in the hand of such abilities may ever be employed on a subject worthy of it.

Some days after his majesty offered his last paper, wherein "he acknowledges the great pains of these divines to inform his judgment, and takes particular notice of the decency of their manner, and of their respectful address to him upon this occasion, but says they mistook him, when they spoke of a writ of partition of the episcopal office; whereas his meaning was, that the office of teaching was common both to the bishop and presbyter, but that government was peculiar to the bishop."* His majesty declines answering to all the particulars, because he would not draw out the dispute into a greater length, but seems unconvinced by any thing that had been offered; he affirms, that Timothy and Titus were *episcopi pastorum*, bishops over presbyters; and that Timothy had a distinct work from presbyters, that is, that he might know how to behave himself in the exercise of his episcopal office. His majesty relies on the numerous testimonies of ancient and modern writers for the Scripture original of bishops, and adds, that the testimonies of an equal number of equal credit to the contrary will signify nothing, because one witness for the affirmative ought to be of more value than ten for the negative.—In conclusion his majesty put them upon evidencing one of these three things, (1.) Either that there is no form of church-government prescribed in Scripture. Or, (2.) If there be, that the civil power may change it as they see cause. Or, (3.) If it be unchangeable, that it was not episcopal, but some other that they will name, for till this is done he shall think himself excusable for not consenting to the abolishing that government which he found settled at his coronation; which is so ancient, has been so universally received in the Christian

* Rel. Carol. p. 324.

world, has been confirmed by so many acts of parliament, and subscribed by all the clergy of the church of England. But the ministers declined entering into so large a field, which must have brought on a debate concerning the whole ecclesiastical polity of the church.

These were all the papers which passed on both sides, and deserve the notice of those who would enter into this controversy. His majesty saying, that one witness for the affirmative, that episcopacy is of divine institution, ought to be of more value than ten for the negative, is, I apprehend, one of the weakest and most frivolous arguments of his letter; for it is only changing the form of the question, and making the Presbyterian say, that presbytery is of divine institution, and then asking his majesty, or any episcopal divine, whether one affirmative testimony ought not to be of more value than ten negative ones of equal merit. His majesty's style is strong and masculine, and that of the parliament-divines decent and respectful. Sir Philip Warwick read the king's papers before the commissioners, and Mr. Vines those of the ministers: all was managed with the greatest propriety, which makes it hard to excuse lord Clarendon's account of the behaviour of these divines, who says,* "they all behaved with that rudeness, as if they meant to be no longer subject to a king any more than to a bishop; that they inveighed bitterly against the pride and lustre of lord-bishops; that two of them very plainly and fiercely told the king, that if he did not consent to the utter abolishing of bishops he would be damned; the men were Spurstow and Jenkins, who, after the return of king Charles II. according to the modesty of that race of people, came to kiss his majesty's hand." And yet neither of the divines above mentioned was nominated to assist at the treaty, nor had any share in the debates. Mr. Baxter says, all the parliament-divines came off with great honour. But such is his lordship's or his editor's candour towards any thing that looks like a Presbyterian!

The king's second difficulty, relating to his coronation-oath, by which he apprehended himself bound to maintain episcopal government as he found it settled when he received the crown, the commissioners did not think so proper for the discussion of divines, because it depended upon the

* Vol. 3. p. 216.

law of the land, and therefore took this part of the debate upon themselves. The king conceived, that the consent of the clergy themselves in convocation assembled, was necessary, before they could be deprived of those possessions and privileges of which they were legally possessed. But the commissioners maintained, that the legislature alone was to determine in this case, as it had done at the Reformation; that it was not to be supposed, that any body of men would consent to part with their possessions if they could keep them; but if the legislature judged any part of the king's coronation-oath hurtful to the public, it was certainly in their power, with the consent of the king, to alter or annul it.—One may justly ask how this branch of the coronation-oath should stick so much with the king, when it was notorious that his government for almost fifteen years had been one continued breach of magna charta, and an encroachment upon the civil liberties of his subjects?

But neither party would accede to the other, though the article of religion was almost the only point that hindered the conclusion of the treaty: his majesty wondered at the shyness and reluctance of the parliament-divines to debate his three questions, and told them plainly, that their endeavours to give him satisfaction in them, would have added to the reputation of their ingenuity in the whole undertaking, it not being probable that they should work much upon his judgment, while they were fearful to declare their own; or possible to relieve his conscience but by a free declaring of theirs.* But what was all this to the point? the only question before them was, whether diocesan episcopacy was of divine institution? if they had satisfied his majesty in that, they had discharged their duty; to launch out farther was to lose time, and protract the treaty beyond its limits. If diocesan episcopacy was not scriptural, it might be abolished, which was all the parliament contended for at present.† But the king's divines encouraged him to dispute every inch of ground, and instead of yielding any one point to the ministers, to start new difficulties, till his ruin was inevitable. However, towards the close of the treaty, when the victorious army was returning towards London, and things almost come to an extremity, his majesty told the commissioners, "that though he could not with a good conscience consent

* Rushworth, p. 1291. † Ibid. p. 1301, 1302.

to the abolishing of episcopacy, because he believed the substance of it to be of apostolical institution, he was willing to reduce it to the primitive usage; and if his two houses should so advise, he would be content to lessen the extent and multiply the number of diocesses. He still apprehended the entire alienation of the bishops' lands by sale to be sacrilege.—He was willing to assent to the calling and sitting of the assembly of divines as desired.—He would also confirm the public use of the Directory in all churches and chapels, and would repeal so much of all statutes as concerned the Book of Common Prayer only; provided the use thereof might be continued in his majesty's chapel for himself and his household; and that the same [i. e. the Directory] should be confirmed by act of parliament for three years, provided a consultation be had in the mean time with the assembly of divines as before mentioned.—Touching the articles of religion [the assembly's confession], his majesty desired farther time to examine them before he bound up himself and his subjects in matters of faith and doctrine.—His majesty will consent to an act for better observation of the Lord's day, and to prevent saying of mass.—But as to the covenant, his majesty was not satisfied to take it, nor to impose it upon others."

These concessions being voted unsatisfactory by the two houses at Westminster, his majesty consented farther, October 21, "1. That archbishops, chancellors, deans, and the whole hierarchy, be abolished except bishops. 2. That none but the Presbyterian government be excercised for three years. 3. That in case no settlement should be agreed upon within that time, that then for the future the power of ordination should not be exercised by bishops without the counsel and assistance of presbyters; that no other episcopal jurisdiction should be exercised but such as should be agreed upon in parliament; and if within that time his majesty should be convinced that episcopacy is not agreeable to the word of God, or that Christ commanded any other government, he will embrace it, and take episcopacy quite away." The houses being still dissatisfied with these concessions, his majesty added, November 4, "that he would make no new bishops for three years; and for the farther satisfaction of the parliament, he would not insist upon the use of the Common Prayer in his own chapel for that time,

but would make use of some other form of divine service for himself, and forbid mass to be said in the queen's chapel." This was his majesty's final answer, which the commons voted unsatisfactory, and ordered the commissioners to acquaint him with their votes.

The treaty was prolonged three weeks after this, in which time the commissioners did all that was in their power to obtain his majesty's consent, beseeching him with tears upon their bended knees, since matters were brought to so narrow a compass, to yield up the point of religion. In their last paper of November 20, they beseech him to consider, "that it is not the apostolical bishop which the parliament desire him to abolish, but that episcopacy which was formerly established by law in this kingdom, and has been found by experience to be a hinderance to piety, a grievance to the subject, an encroachment upon the power of the civil magistrate, and so a burden to the persons, purses, and consciences, of men. They do not meddle with the apostolical bishop, nor determine what that bishop was whom the apostles mention in the Scripture; but they are for putting him down by a law who was set up by a law; and certainly nothing can be more proper for parliaments, than to alter, repeal, or make laws, which appear to them for the good of the commonwealth.

"But admitting apostolical bishops were within the purport of this bill, we humbly conceive it does not follow, that therefore in conscience it must not be passed, for we may not grant, that no occasion can make that alterable which has foundation only in the practice of the apostles, and not in a precept.* Some things have certainly been altered which the apostles practised; circumstances many times change the nature of moral actions; for the attaining a great good, or the avoiding a great evil, that which singly considered is not fit to be done, and perhaps would be a fault if it were, may become a duty, and a man may be bound in conscience to do it. And if ever circumstances could have a more powerful and considerable influence than in this juncture, we leave to your majesty's consideration. But this is said only for argument's sake, admitting but not granting the grounds on which your majesty is pleased to go, in

* For the king's answer, see Dr. Grey's examination, p. 342, &c.—Ed.

refusing to pass this bill."* The strength of the commissioners' reasoning upon this head may be seen at once in this short syllogism; Whatsoever is not of divine institution may be very lawfully altered, changed, or reversed.—But the episcopacy which is established in the church of England is not that episcopacy mentioned in Scripture—therefore the laws which established it may take it away.

The commissioners go on, "As for the sale of bishops' lands, which your majesty conceives to be sacrilege, we humbly offer that, bishopricks being dissolved, their lands revert to the crown, which is their foundation and patron, and heretofore held it no sacrilege to dispose of bishops' lands to its own and other uses by act of parliament, which was an ordinary practice in your majesty's predecessors, kings and queens of this nation. Besides, in all ages, even under the ceremonial law, imminent and urgent necessity has dispensed with the alienation of consecrated things.†

"Your majesty is pleased to say, 'You cannot communicate in a public form of divine service, where it is uncertain what the minister will offer to God.' But we beseech your majesty to be informed, that the Directory sets down the matter of the prayer which the minister is to use; words and expressions for enlargement being left to his discretion. But give us leave to add, that this ought to be no objection with your majesty, for then one must not hear any prayer before sermon, for here every minister has a several form, which he varies according to occasion.

Upon the whole therefore we humbly hope, that your majesty, after a most serious consideration, will discern the just cause which the two houses have for remaining unsatisfied with your majesty's concessions, with relation to the church, for they are apprehensive, that after the expiration of the three years in which episcopal government is to be suspended, a bishop so qualified as your majesty expresses will rise again; for if you should not in the mean time agree with your parliament upon any other form of government, which depends wholly upon your majesty's pleasure, no other government can be set up; and then this episcopacy will return with so great power, that the bishop may choose

* Rushworth, p. 1335. Whitelocke, p. 351.

† Dr. Grey, p. 345, has given his majesty's reply.—Ed.

whether any minister at all shall be made in the church of England, and those that shall must be at his devotion, he having the negative voice in ordination, which we humbly conceive is no where declared in Scripture, to be the prerogative of an apostolical bishop.

"We humbly say farther, that the charging bishops' lands with leases for ninety-nine years is not sufficient, because there is a rent reserved to the bishop, and the property will continue as before; so that it cannot be expected that the Presbyterian government should be complied with, and exercised with profit or comfort to the church, as long as a door is left open for the return of a superior power upon the first opportunity.

"We hope your majesty will pardon our pressing in this manner; our intention is not to offer violence to your majesty's conscience, but to endeavour to inform it in a matter that appears to the two houses of so great consequence. We again humbly beseech your majesty to review our former papers; call to mind those reasons and arguments which in debate have been used upon this subject, with such others as your own wisdom shall suggest, and then be pleased to give your royal consent to the particulars above specified, that both yourself and your people may have cause to rejoice."

The committee of states in Scotland joined with the parliament-commissioners in beseeching his majesty to accede to the proposition about religion, which they understood to be the point his majesty most stuck at, and which they in honour and interest were obliged most to insist upon, and without which, they add, his throne cannot be established in righteousness.* They also wrote to the prince of Wales, to mediate with his father. The general assembly, and the commissioners of the kirk of Scotland, sent at the same time two angry letters, for, it was said, they would speak more plainly in the name of their master, than the commissioners of estates would venture to do in their own. But his majesty was deaf to all remonstrances and persuasions, being determined, if his two houses did not think fit to recede from the rigour of their demands in these particulars, to cast himself, as he said, on his Saviour's goodness to support and defend him from all afflictions, how great soever, which

* Rushworth, p. 1304.

might befal him, rather than upon politic considerations deprive himself of the tranquillity of his mind; and therefore, excepting his majesty's consent to license the assembly's lesser catechism with a proper preface, in all other mattersin difference he resolved to abide by his former answers.*

At the close of the treaty the king made a short speech to the commissioners, in which he reminds them how far he had condescended for the sake of peace. He desired them to put a good interpretation on his vehement expressions on some part of the debates, there being nothing in his intentions but kindness; and that as they had used a great deal of freedom, and shewed great abilities in their debates, which had taken him off from some of his opinions, that they would use the same freedom with his two houses, to press them to an abatement of those things in which his conscience was not yet satisfied, which more time might do, his opinions not being like the laws of the Medes and Persians unalterable or infallible; adding his very hearty thanks for the pains they had taken to satisfy him, professing that he wanted eloquence to commend their abilities.† He desired them candidly to represent all the transactions of the treaty to his two houses, that they might see nothing of his own interest, how near or dear soever (but that wherein his conscience is not satisfied), can hinder, on his part, a happy conclusion of the treaty.

The king's concessions were certainly a sufficient foundation for peace with the Presbyterians, if they could have been relied upon, and were so voted by the parliament when it was too late. His majesty had given up the main pillars of the hierarchy, by consenting to abolish archbishops, deans, and chapters, and that a bishop should not act without his presbyters; which was archbishop Usher's scheme, and all that the Puritans at first contended for; but the Scots and the English Presbyterians, grown lofty in power, and being less apprehensive of danger from the army than they ought, concluded they could not fail of their whole establishment in a few weeks, though there was not the least provision for liberty of conscience for dissenters, which they might have been sensible would occasion high discontents in the army. The commissioners were disposed to an accommodation, and took all opportunities to assure his majesty, that

* Clarendon, p. 224. Rushworth, p. 1326. 1334. † Vol. Pam. no. 83.

if he would but yield for a time, things should be made easy to him afterward. But the truth is, as the king would not trust the parliament, so neither would they the king, because they observed, (1.) His dilatoriness in the treaty, as if he waited for some advantageous turn of affairs to revoke his concessions. (2.) His resolute disputing every inch of ground without yielding a single proposition, or none of any considerable moment. (3.) His majesty's maxim, that what was yielded out of necessity was not binding when the restraint was taken off. (4.) They suspected his sincerity, because the duke of Ormond was at this very time treating with the Irish rebels by his majesty's commission, which he would not recall.* (5.) They remembered his majesty's artful manner of interpreting away his concessions. (6.) They gave out that he was not his own master, but that his con-

* The preceding assertions of Mr. Neal much displease Dr. Grey; he contradicts them, and endeavours to confront them with facts. He challenges Mr. Neal to produce one single well-attested fact to support his reflection on the king's sincerity. The appeal for the truth of the charge may be made to the reader, who has accompanied Charles through his reign, and observed his conduct on various occasions. The appeal may be made to the facts, that have been collected in Dr. Harris's Historical and Critical Account of Charles I. p. 72—83, and in An Essay towards a True Idea of the Character of King Charles I. p. 93—102. We may also refer to what has before been advanced on this point. It suffices to add here the authority of Ludlow only; who says, "that the duplicity of the king's dealings with the parliament manifestly appeared in his own papers, taken at the battle of Naseby and elsewhere." Ludlow's Memoirs, 4to. 1771, p. 114.——Dr. Grey asserts against Mr. Neal, that "from the MS. treaty it is manifest, that there was not the least delay on the king's part." But he forgets the duration of the treaty, which was to continue forty days only; and, commencing on the 18th of September, did not close till towards the end of November: and would not have ended then, if the army had not seized his majesty. For the answers of the king were voted "to be a ground only for the house to proceed on to settle the peace of the kingdom." Whitelocke's Memoirs, p. 353.—But the length of the treaty could arise only from the king's not at first yielding to the propositions made by the commissioners. Mr. Neal's next assertion, that the king "disputed every inch of ground" is implied in the duration of the treaty, and it is proved by the quotation, which Mr. Neal, a little farther on, makes from Whitelocke. But Dr. Grey attempts to disprove it, by bringing forward three concessions made in one day, the 21st of October, by the king. The reader will determine, whether an exception drawn from the transactions of one day can disprove an assertion which applies to a treaty depending more than seventy days: and those concessions, he will consider, were not yielded till the forty days originally appointed for the continuance of the treaty, were drawing to an end. In opposition to our author's fourth reason, Dr. Grey produces from Williams's MS. collections, a letter of the king, 25th of November, to the commissioners, in which he informs them (sending at the same time the letter itself for their perusal) that he had written to the marquis of Ormond, "acquainting him with such informations as he had received from the two houses concerning his proceedings in that kingdom, and requiring him to desist from any farther prosecution of the same. And in case he shall refuse, his majeety will then make such public declaration against his powers and proceedings as is desired."—Notwithstanding this, Mr. Neal spoke on authority. For on the 21st of November, the house received letters from the Isle of Wight, "that the king refused to pass any thing against the marquis of Ormond, until the treaty be wholly ended." Whitelocke's Mem. p. 350. See also Lord Clarendon, vol. 3. p. 222.—Ed.

science was under the direction of his divines, who would put him upon all extremes for their support. (7.) They were incensed at the murders and depredations of the cavalier-soldiers, even after they were beaten out of the field, and were afraid of their recovering the management of public affairs. And lastly, They were as firmly persuaded of the divine institution of presbytery, and the obligation of the covenant, as the king and his divines were of the *jus divinum* of episcopacy.

Yet under all these propossessions, lord Clarendon* observes some of the commissioners found means to advertise the king in private, "that they were of his majesty's judgment about church-government, which they hoped might be preserved, but not by the method his majesty pursued; that all the reasonable hope of preserving the crown was in dividing the parliament and the army, which could be done no other way than by giving satisfaction with reference to the church. This might probably unite the parliament and the city of London, and enable them to bring his majesty to London with honour, where he might have an opportunity of gaining more abatements than he could ever expect by refusing to sign the preliminaries. Many advertisements came from his majesty's friends in London, and other places, that it was high time the treaty was at an end, before the army drew nearer London, which it would shortly do, as soon as those in the north had finished their works." Sir J. Browning entreated his majesty, in his closet, to make all his concessions in one declaration, at one instant, and in one day. The parliament-commissioners were no less importunate with the king, but he was inflexible, and usually out of humour. Remarkable are the words of Mr. Whitelocke, speaking of the above-mentioned concessions: "More than this could not be obtained, though most earnestly begged of his majesty by some of the commissioners (great persons) with tears, and upon their knees, particularly as to the proposition concerning religion, wherein church-government, public worship, and chiefly the revenues of the church, swayed more with the king's chaplains then about him; and they more with his majesty (continually whispering matters of conscience to him) than the parliament, and all his commissioners, could prevail with him for an

* Book 11. p. 217.

agreement, though possibly his own judgment (which was above all theirs) might not be so fully convinced by his eager divines about him."* But these had possession of his majesty's conscience, and directed his answers:† and though they abhorred the thoughts of deposing the king, or putting him to death, it ought to be considered, whether their stiff and imprudent behaviour did not manifestly contribute to that catastrophe.

His majesty being thus entangled, was pleased, before the breaking up of the treaty, to send for archbishop Usher, and asked him this question, "Whether he found in all antiquity, that presbyters alone ordained any?" To which the archbishop replied frankly, that "he could shew his majesty more than that, even that presbyters alone had successively ordained bishops," and instanced in St. Jerome's words, in his Epist. ad Evagrium, where he says, the presbyters of Alexandria chose and made their own bishops from the days of Mark the apostle till Heraclus and Dionysius.‡ At the same time the archbishop offered his own scheme for the reduction of episcopacy to the form of presbytery, which his majesty had formerly rejected, but was now at length willing to accept, as the archbishop himself told Mr. Baxter; but the Scots and English Presbyterians were grown so stubborn that they would not acquiesce.

Though the commissioners had no power to recede from their instructions, the treaty was prolonged from time to time, in hopes that something or other might gain upon the king; but his majesty was frequently out of temper, and treated the commissioners with no degree of confidence. The forty days to which the treaty was limited being ended October 28, it was enlarged for fourteen days, and then for seven, and so on to the 28th of November, for which, says lord Clarendon,§ his majesty was nothing glad; nor did his friends in the house desire the prolongation, it being moved by those that wished the treaty might have no good effect, to

* Whitelocke's Memoirs, p 325.

† Dr. Grey is displeased with this representation, and impeaches the truth of it. He says, that when Mr. Vines took the freedom to observe, "that possibly his majesty's scruples were not so much his own as other men's," the king a little warmly replied; "that it was a mistake; for his scruples were really his own, and contained in his first paper." The doctor did not reflect, that few men are willing to have it supposed, and more unwilling to own, that they are led. But however this was, Mr. Neal is supported by the authority of Whitelocke.—Ed.

‡ Baxter's Life, p. 206.

§ Vol. 3. p. 324.

give the army time to finish their summer's work, and return to London. On the last day of the treaty, when the commissioners pressed his majesty to consider, that there was not one whole day to determine the fate of the kingdom, and that nothing could save his majesty from the growing power of the army, but giving his two houses satisfaction in the particular of the church, "then (says lord Clarendon*) his majesty's own council, and the divines, besought him to consider the safety of his person, even for the church's sake, which had no prospect of being preserved but by his life, that the unavoidable necessity that lay upon him obliged him to do any thing that was not sin." And why did they not do this sooner? However, it seems they could only prevail for a suspension of the episcopal power in point of ordination and jurisdiction, till he and the two houses should agree what government should be established for the future. Which was the substance of all his majesty intended by his concessions. After supper the commissioners took their leave, and having kissed his majesty's hand, began their journey next morning towards London. It is intrepid language that Mr. Warwick puts into the king's mouth on this occasion: his majesty said to him one night, "I am like a captain that has defended a place well, and his superiors not being able to relieve him he had leave to surrender it; but though they cannot relieve me in the time, let them relieve me when they can, else (says he) I will hold it out till I make some stone in this building my tombstone; and so I will do by the church of England."

Lord Clarendon is of opinion, "that the major part of both houses, as well as the commissioners, were at this time so far from desiring the execution of all their concessions, that if they had been able to have resisted the wild fury of the army, they would themselves have been suitors to have declined the greatest part of them." And were not the king's counsellors and divines sensible of this? Why then did they trifle away a month in fruitless debates, when it was evident to all men that the king's condition became more desperate every day?

Thus ended the famous treaty at Newport, which like all

* Book 11. or vol. 3. p. 227.

the former proved unsuccessful, chiefly frem an incurable jealousy between the contending parties, which how reasonable it was on either side must be left with the reader.

The noble historian observes,* that the king sent the prince of Wales a journal of the proceedings of the treaty, and an exact copy of all the papers that had passed to the 29th of November, together with a letter of six sheets of paper written with his majesty's own hand, containing the reasons and motives of all his concessions. The conclusion of the letter, his lordship says, deserves to be preserved in letters of gold, as it gives the best character of that excellent prince; but the copy does not, in my opinion, resemble the original. Some passages of it are these: "—We have laboured long in search of peace, do not you be disheartened to tread in the same steps.—Prefer the way of peace—conquer your enemies by pardoning rather than by punishing—Never effect more greatness or prerogative than that which is really and instrinsically for the good of your subjects, not the satisfaction of favourites. You may perceive that all men intrust their treasure where it returns them interest. If princes, like the sea, receive, and repay all the fresh streams the rivers intrust them with, they will not grudge, but pride themselves to make them up an ocean—If God restore you to your right, whatever you promise keep—Don't think any thing in this world worth obtaining by false and unjust means."—These are excellent maxims of government; and if his majesty had conducted himself by them he could not have been reduced to such a low and destitute condition, as to have hardly a place in the world to hide himself in; "for (says lord Clarendon†) there was at that time no court in Christendom so honourably or generously constituted, that it would have been glad to have seen him, and they who wished him well, did not wish his escape, because they imagined imprisonment was the worst that could befal him."

I am unwilling to suspect the genuineness of this letter, though there were so many forgeries obtruded upon the world about this time to advance his majesty's piety and virtue, that one can hardly feel the ground he treads on. If such a letter was sent to the prince, it is very strange he should never see it; or that his lordship, who lived in the

* Book 11. or vol. 3. p. 229. † Vol. 3. p. 231.

prince's family, and extracted his account of the treaty of Newport from these papers, as he declares, should never shew it his master; and yet these are the words of bishop Burnet, in the History of his Life and Times: "The duke of York suffered me to talk very freely to him about religion, and he told me among other things, that the letter to the prince of Wales was never brought to him."

The army had been six months in the field this summer engaged against the cavaliers and Scots, who being now reduced and subdued, they began to express a high dissatisfaction with the present treaty, because no provision had been made for their darling point, liberty of conscience. Here they had just reason of complaint, but ought not to have relieved themselves by the methods and at the expense they did. They were thoroughly incensed against the king and his cavaliers on one hand, and the high Presbyterians on the other. It appeared to them, that the king's sentiments in religion and politics were not changed; that he would always be raising new commotions till things returned to their former channel; and in the present treaty he had yielded nothing but through constraint; and that when he was restored to his throne, after all the blood that had been shed, they should neither be safe in their lives or fortunes. On the other hand, if Presbyterian uniformity should take place by virtue of the present treaty, their condition would be little mended; for, said they, if the king himself cannot obtain liberty to have the Common Prayer read privately in his own family, what must the Independents and sectaries expect? What have we been contending for, if after all the hazards we have run, presbytery is to be exalted, and we are to be banished our country or driven into corners?

While the resentments of the army were thus inflamed, their officers, who were high enthusiasts, though men of unblemished morals,* observed several days of fasting and prayer at their head-quarters at St. Albans, till at length,

* The character of virtuous morals, bishop Warburton considers as inconsisten with their being, as Mr. Neal says, "high enthusiasts: when (his lordship adds) they all acted, as almost all enthusiasts do, on this maxim, that the end sanctifies the means, and that the elect, of which number they reckoned themselves chief, are above ordinances:" Mr. Neal, I presume, is to be understood as speaking of their personal virtue, with regard to sensual indulgences, in opposition to drunkenness and debauchery.—Ed.

in a kind of despair, and under the influence of a religious frensy, they entered upon the most desperate measures, resolving to assume the sovereign power into their own hands, to bring the king to justice; to set aside the covenant; and change the government into a commonwealth. To accomplish these monstrous resolutions, which were founded, as they alleged, upon self-preservation, though prosecuted by measures subversive not only of the rights of parliament, but of the fundamental laws of society, the officers agreed upon a remonstrance, which was presented to the parliament by six of their council, November 20, eight days before the expiration of the treaty with the king, together with a letter from general Fairfax to the house, desiring it might have a present reading.

The remonstrance sets forth the miscarriages of the king's government;* and his double and dilatory proceedings in treaties, particularly in that now on foot; and then desires the house to return to their votes of non-addresses; to lay aside that bargaining proposition of compounding with delinquents, and bring them to punishment; and among these offenders, they propose, "(1.) That the king be brought to justice, as the capital cause of all. (2.) That a day be set for the prince of Wales and the duke of York to surrender themselves, or be declared incapable of the government; and that for the future, no king be admitted but by the free election of the people."†

The commons upon reading this remonstrance was struck with surprise, and being in the utmost consternation deferred the debate for ten days, i. e. to the end of the treaty. But the officers, being apprehensive of what might happen in that time, sent colonel Ewer to the Isle of Wight with a party of horse to secure the person of the king, and ordered colonel Hammond to quit the island, and attend the council of officers at their head-quarters at Windsor; the king was secured the very day after the expiration of the treaty, and

* Lieutenant-general Ludlow apprehended that the dispute between the king's party and the parliament turned upon this simple question, "Whether the king should govern as a god by his will, and the nation be governed by force like beasts: or whether the people should be governed by laws made by themselves, and live under a government derived from their own consent?" Ludlow's Memoirs, 4to. 1771. p. 114. On this point rests the difference between free and despotic governments, and in the degree in which a government deviates from the former, it approximates to the latter state.—Ed.

† Clarendon, vol. 3. p. 256. Rapin, vol. 2. p. 564, folio.

next morning [November 30] conveyed by a party of horse to Hurst-castle, where he continued till he was conducted by colonel Harrison to Windsor, in order to his trial. The same day the officers sent a declaration to the house to enforce their late remonstrance, complaining that they were wholly neglected, and desiring the majority of the house to exclude from their councils such as would obstruct justice, or else withdraw from them.* This occasioned warm debates among the members, and a motion that the principal officers who had a share in the remonstrance might be impeached of high treason.† Upon which the army marched directly to London, with general Fairfax at their head, who wrote to the lord-mayor and common-council, that he was marching to Westminster in pursuance of the late remonstrance, and desired 40,000*l.* of the city in part of their arrears. December 2, he quartered his troops about Whitehall, the Mews, Covent-garden, and St. James's, assuring the citizens, that they should disturb no man in his property.

Though the houses were now environed with an armed force, they had the courage to vote, that the seizing the person of the king, and carrying him prisoner to Hurst-castle, was without their advice and consent; and next day, after having sat all night [December 5], it was carried *without* a division, that the king's concessions to the parliament's propositions were a sufficient ground for the houses to proceed upon for settling the peace of the kingdom; two hundred and forty-four members being present. But the officers being determined to carry their point discharged the city trained-bands, and placed a regiment of horse and another of foot, the very next day, at the door of the parliament-house, and colonel Pride, having a list of the disaffected members in his hand, took about forty of them into custody, and denied entrance to about a hundred more, which determined several others to withdraw, insomuch that the house of commons was left in the possession of about one hundred and fifty or two hundred persons, most of them officers of the army, who conducted every thing according to the plan concerted in their council at St. Albans.—Oliver Cromwell was not yet come to London from his northern expedition, but wrote from Knottingsley, Novem-

* Rushworth, p. 1341. Rapin, vol. 2. p. 565, folio.
† Clarendon, vol. 3. p. 237.

ber 20, that the officers of his regiments were deeply sensible of the miseries of the kingdom, and had a great zeal for impartial justice to be done on offenders, with whom he concurred. December 6 he came to London, and next day had the thanks of the house thus garbled for his faithful services to the public.* December 11, a paper called the Agreement of the People was presented to the general and council of officers, as a rule for future government. It was supposed to be drawn up by Ireton, and proposed a dissolution of the present parliament, and a new one to be chosen, consisting of three hundred members,† who were to elect a council of state from among themselves, for the management of all public affairs, under certain restrictions; one of which is, that they do not lay any restraints on the consciences of men for religious differences (as has been mentioned), but no proceedings were had upon it, nor did it ever take place.

In the meantime the house of commons (if they now deserved that name) voted his majesty's concessions at the Isle of Wight not satisfactory,‡ and "that no member who had been absent when that vote was passed should sit again in the house till he had subscribed it;§ that no more addresses be made to the king for the future;‖ that no malignant, who had assisted against the parliament in the first or second civil war, or that had abetted the late tumults, should be capable of being chosen lord-mayor or alderman of the city of London, or be capable of any place of profit or trust, or so much as of giving his vote for choosing persons into such offices, for the space of one year."¶ The secluded members published a protestation** against all these proceedings as

* Dugdale, p. 363.

† According to the authority, Williams's MS. Collections, on which Dr. Grey relies, it was proposed, that the representatives should be four hundred; and the ground of the motion was, that the people of England (being very unequally distributed by boroughs for election of their representatives) were indifferently proportioned. How has this disproportion increased since that time!—Ed.

‡ They also reversed the vote of the 5th of December, viz. "that the king's answer was a ground on which to proceed upon for the settlement of the peace of the kingdom," as dishonourable to parliament, destructive to the peace of the kingdom, and tending to the breach of the public faith of the kingdom. Dr. Grey, p. 357. —Ed.

§ Rushworth, p. 1300. ‖ Ibid. 1365. ¶ Clarendon, p. 240.

** Bishop Warburton observes, "that these very secluded members had voted the bishops guilty of high-treason, for protesting in the same manner, when under the like force." The reader will turn back to vol. 2. p. 451—458, compare the two

null and void till they were restored to their places; but the lords and commons who remained in the houses voted their protestation false, scandalous, and seditious.

The army, having vanquished all opposition, went on with irresistible violence to change the whole frame of government;* and, to make way for it, determined to impeach the king of high-treason, as having been the cause of all the blood that had been spilt in the late war.† This unheard-of motion met with some opposition even in that packed assembly;‡ Oliver Cromwell was in doubt, and said, "If any man moved this of choice or design he should think him the greatest traitor in the world; but since Providence or necessity had cast them upon it, he should pray God to bless their councils, though he was not provided on the sudden to give them advice." Some said there was no need to bring the king to a trial; others, that there was no law to try him, nor any judicatory to call him to account; but all this was overruled; and because the lords rejected the ordinance for the king's trial, lord Clarendon tells us, they shut up their doors; but Mr. Whitelocke says, they entered their house, and although several ordinances passed, the commons would not own them any longer. Thus the constitution was dissolved, and all that ensued must be considered as effected by the military power.§

Though some few petitions had been procured from divers counties, and even from the common-council of London, that justice might be done upon the authors of our troubles, and bloodshed, in an exemplary way, and without respect to persons; yet the general voice of the nation was against such violence, as appears by the petitions and protestations of all orders of people.

The prelatical clergy lay still, either because they could not assemble in a body, or because they apprehended they could do no service by appearing; but Dr. Gauden, afterward bishop of Exeter, published "A protestation against the declared purposes and proceedings of the army, and

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cases, and decide whether they were entirely similar. Not but it is too common for men not to discern the nature of oppression till they come to feel it; and to condemn in others what they allow in themselves.—Ed.

* Rushworth, p. 1363.
† Rapin, vol. 2. p. 567.
‡ Dugdale, p. 366.
§ Memor. p. 361.

others, about trying and destroying our sovereign lord the king," dated January 5, and sent it to a colonel to be presented to lord Fairfax at the council of war. Dr. Hammond sent an humble address to the general and council of war, to prevent the horrid design of putting the king to death, dated January 15. Both these papers insisted on the divine right of kingly government, and that to call the king before the tribunal of the people was contrary to the laws of the land. The famous Mr. Prynne, one of the secluded members, published "A brief memento to the present unparliamentary junto, touching their present intentions and proceedings to depose and execute Charles Stuart, their lawful king of England," dated from the King's-head in the Strand, January 1, 1648.

The officers of the army attempted by their creatures to gain over the London ministers to their measures, or at least to persuade them to a neutrality. Hugh Peters, one of their chaplains, was sent to the remains of the assembly of divines at Westminster, for this purpose, but they declared unanimously for the release of the king. He then invited several of the London ministers, as, Mr. Marshal, Calamy, Whitaker, Sedgwick, Ash, &c. to a conference with some officers of the army, upon the subject of the coercive power of the magistrate in matters of religion, which was foreign to the present purpose; but instead of meeting them, these divines assembled with their brethren at Sion-college, and published a paper, entitled, "A serious and faithful representation of the judgment of the ministers of the gospel within the province of London, whose names are subscribed, contained in a letter to the general, and his council of war, delivered to his excellency by some of the subscribers," January 18, 1648.

In this address, after assigning reasons why they would not consult with the officers upon matters of religion, they complain of their imprisoning the members of parliament; "We remember (say they*) that when the king with a multitude of armed men demanded but a small number of the members of parliament, it was deemed an unparalleled breach of the privilege of parliament, and was one reason that an army was raised by their authority, and for their preservation; but that this very army should so far exceed

* Vol. Pamph. no. 52.

that act, which was then esteemed without parallel, is what we could not believe, had not our eyes been witnesses of it!

"And though both houses of parliament saw reason to take up arms in their own defence, and in defence of the Protestant religion, and the fundamental laws of their country, yet this cannot be pleaded in justification of your usurping an authority over king and parliament, who are but so many private persons and no part of the legislature.

"Moreover, though the parliament took up arms in defence of the laws, it was never their intention to do violence to the person of the king, or divest him of his royal authority, much less to overthrow the whole constitution.

"We therefore think ourselves bound by our protestation, and by our solemn league and covenant, to appear for our excellent constitution against arbitrary and tyrannical power in the king, on the one hand, and against the illegal proceedings of private persons, tending to subvert the constitution and introduce anarchy and confusion on the other.

"Instead therefore of consulting with you, we earnestly entreat you, as the ambassadors of Christ, that you would consider of the evil of your present ways, and turn from them. You cannot but know, that the word of God commands obedience to magistrates, and consonant to Scripture this has been the judgment of Protestant divines at home and abroad, with whom we concur; disclaiming, detesting, and abhorring, the practices of Jesuits, concerning the opposing of lawful magistrates by any private persons, and the murdering of kings by any, though under the most specious and colourable pretences. Examine your consciences, if any number of persons of different principles from yourselves had invaded the rights of parliament, imprisoned the king, and carried him about from place to place, and attempted the dissolution of the whole government, whether you would not have charged them with the highest crimes.

"We desire you not to infer the justice of your proceedings from the success, but to distinguish between God's permission and approbation, and that God's suffering men to prosper in their evil courses is one of the severest judgments; the providence of God therefore, which is so often pleaded in justification of your actions, is no safe rule to walk by, in such actions which the word of God condemns.

"Nor is it safe to be guided by the impulses of the spirit,

when they are contrary to the written word of God; we are to try the spirits, and to have recourse to the law and the testimony; if they speak not according to them, there is no light in them.

"If you plead necessity for doing that which yourselves confess to be irregular, we answer, no necessity can oblige men to sin; besides, it is apparent, you were under no necessity, the parliament (till forced by you) being full and free; besides, your have engaged by oath to preserve his majesty's person, and the privileges of parliament, and no necessity can justify perjury, or dispense with lawful oaths.

"We therefore beseech you to recede from this your evil way, and learn John Baptist's lesson to soldiers, Do violence to no man, neither accuse any man falsely, and be content with your wages. But if you persist in this way, be sure your sin will find you out. If our exhortation prevail not, we have discharged our duty, and we hope delivered our own souls. If it be our portion to suffer, as we are told, we trust we shall suffer as Christians; but we hope better things of you, and subscribe ourselves your servants in the Lord;

James Nalton, pastor, Foster-lane
Thomas Cawton, St. Bartholomew-Exchange
John Fuller, Bishopsgate
Francis Roberts, St. Austin
William Jenkin, Christ-church
Elidad Blackwell, Alhallows-Undershaft
William Harrison, Grace-church
John Sheffield, St. Swithin's
Matthew Haviland, Trinity
George Smalwood, Poultry
William Taylor, Coleman-street
Christopher Love, Aldersgate
Robert Mercer, St. Bride's
Thomas Gataker, Rotherhithe
George Walker, St. John Evangelist
Arthur Jackson, M. Wood-street
Charles Offspring, St. Antholin's
Henry Rodborough, Eastcheap
Nicholas Profet, Foster-lane
Thomas Case, Milk-street
Stanly Gower, Ludgate
Andrew Janeway, Alhallows on the Wall
Samuel Clark, St. Bene't Fink
Thomas Clenden, Alhallows-Barking
John Wale, St. M. Cornhill
James Crawford, St. Christopher
Ralph Robinson, pastor, St. Mary Woolnoth
William Blackmore, St. Peter, Cornhill
Francis Peck, St. Nicholas Acorns
Stephen Watkins, St. Saviour, Southwark
William Wickers, St. Andrew Hubbard
John Wallis, Ironmonger-lane
Thomas Manton, Stoke-Newington
Thomas Gouge, St. Sepulchre's
Thomas Watson, Walbrook
Nathaniel Staniforth, St. Mary-Bothaw
John Halk, Alhallows on the Wall
John Glascock, St. Andrew-Undershaft
Thos. Whately, St. Mary-Woolchurch
Jacob Tice, Billingsgate
Jonathan Lloyd, Garlickhithe
John Morton, Newington-Butts
Joshua Kirby
Arthur Barham, St. Helen's
Benjamin Needler, St. Margaret-Moses
John Wells, St. Olave-Jury
Robert Matthew, St. Andrew-Wardrobe."

Notwithstanding this seasonable and explicit remonstrance, the episcopal divines, in order to throw off the guilt of the king's misfortunes from themselves, who by

their obstinate behaviour had in reality reduced him to the last extremity, resolved to fix it upon the Presbyterians; as their successors have done even till this day. It was therefore given out among the people, that the Presbyterians had brought the king to the block, and that the Independents would cut off his head. To wipe away this calumny the Presbyterian clergy published another paper, entitled, "A vindication of the London ministers from the unjust aspersions cast upon their former actings for the parliament, as if they had promoted the bringing of the king to capital punishment." It was addressed to the people, and after they had repeatedly declared their dislike of the proceedings at Westminster against the king, they conclude in words to this purpose: "Therefore according to our covenant we do, in the name of the great God, warn and exhort all that belong to our respective charges, or to whom we have administered the said covenant, to abide by their vow, and not suffer themselves to be persuaded to subscribe the Agreement of the People, which is subversive of the present constitution, and makes way for the toleration of all heresies and blasphemies, and will effectually divide the two kingdoms of England and Scotland. We earnestly beseech them to mourn for the sins of the parliament and city, and for the miscarriages of the king himself in his government, which have cast him down from his excellency into a horrid pit of misery, almost beyond example; and to pray, that God would give him effectual repentance, and sanctify the bitter cup of divine displeasure which Divine Providence has put into his hands; and that God would restrain the violence of men, that they may not dare to draw upon themselves and the kingdom the blood of their sovereign."

This was signed by fifty-seven ministers, among whom were the following nineteen, whose names were not to the above-mentioned representation:

Cornelius Burges, D.D. at St. Paul's
William Gouge, D.D. Blackfriars
Edmund Stanton, D.D. Kingston
Thomas Temple, D.D. Battersea
Edmund Calamy, B. D. Aldermanbury
Jeremiah Whitaker, St. Mary-Magdalen, Bermondsey
Daniel Cawdrey, St. Martin in the Fields
William Spurstow, D.D. Hackney
Lazarus Seaman, Bread-street
Simeon Ash, Bassishaw
Thomas Thoroughgood, of *Crayford*
Edward Corbet, Croydon
John Viner, Aldgate
John Crosse, Friday-street
Peter Witham, St. Alban, Wood-street
John Stileman, Rotherhithe
Josias Ball, North-Grey
Jonathan Devereux, late of St. Andrew, Holborn
Paul Russel, Hackney.

It was not possible for the few Independent ministers in London to join the Presbyterians in these addresses, (1.) Because they were not possessed of parochial livings, nor members of the provincial assembly of London, nor admitted to their weekly consultations at Sion-college, but were a sort of dissenters from the public establishment. (2.) Because they did not believe themselves so far bound by the covenant as to oppose a toleration, nor to support any constitution that was not consistent with Christian liberty, which the Presbyterians would not admit. None of their ministers, that I know of, declared their approbation of the proceedings of the council of officers in the trial of the king, except Mr. Hugh Peters, and Mr. John Goodwin. Some of the Independent ministers in the country joined the Presbyterians in protesting against it; those of Oxford and Northampton of both denominations published their humble advice and earnest desire, presented to general Fairfax and the council of war, January 25, subscribed by nineteen or twenty names, in which they declare their utter disapprobation of all proceedings against his majesty's crown and life, as contrary to Scripture, to the laws of the land, the solemn league and covenant, and tending to destroy the constitution, and involve the nation in a war with their neighbours. They declare their dissent from the late violence upon the parliament—but with reference to religion they say, "Though our souls abhor that grand design of the devil and his agents to decry all religious and zealous professors under the names of sectaries and Independents, we willingly grant, and heartily desire, that the interest of all godly and honest men may be carefully provided for, and secured, as far as is consistent with the word of God, our covenant, and the public peace; and that men of different apprehensions in matters of religion may not be utterly incapable of all offices of power and trust, though we cannot agree to a universal toleration." They conclude with beseeching the general to suspend all farther prosecution against the king, and to endeavour a right understanding between the king, parliament, and army; but if they cannot prevail, they desire to wash their hands of the blood of their dread sovereign, and to approve themselves innocent of all that confusion and misery in which the deposing and taking away his majesty's life will involve them, their

posterity, and all men professing godliness in the three kingdoms.*

It must be confessed, the Independents were a sort of malecontents, and had reason to be dissatisfied with the treaty of Newport, because they were not only excluded the new establishment, but debarred of a toleration; and yet, as Mr. Echard and Dr. Bates the physician observe, several of them joined with their brethren in declaring against the design of putting the king to death, in their sermons from the pulpit, in conferences, monitory letters, petitions, protestations, and public remonstrances.†

The Scots kirk, by their commissioners, declared and protested against the putting the king to death, as absolutely inconsistent with their solemn league and covenant. They published a protestation, directed to the ministers of the province of London meeting at Sion-college, January 25, 1648—9, with a letter, exhorting them to courage and constancy in their opposition to the proceeding of the house of commons, and to a universal toleration.

Sundry foreign princes and states, by their ambassadors, interceded for the king; some from their respect to his person, and others from a regard to the honour that was due to crowned heads. But it was impossible to stop the impetuous wildfire of the army, who, having brought the king from Hurst-castle to Windsor, obtained a vote in the parliament (if we may so call it) that all ceremonies due to a crowned head be laid aside; and then came to the following resolutions, January 4: "First, that the people under God are the original of all just power. Secondly, that the house of commons are the supreme power of the nation. Thirdly, that whatever is declared for law by the commons in parliament is valid, though the consent of the king and the house of peers be not had thereto.‡" The house of lords, which was reduced to sixteen peers, having unanimously rejected the ordinance of the commons for the king's trial, and adjourned for a fortnight, the commons resolved to act without them, and having named a committee of thirty-eight persons to receive informations, and draw up a charge against the king, they constituted a high court of justice for his trial,§ consisting of one hundred and forty-five persons,

* Vol. Pamp. 108. † Ech. Hist. p. 654. Elench. Cot. Narr. 1ma. p. 118.

‡ Rapin, vol. 2. p. 568, folio.

§ The reader may be amused by the relation of an accident which befel the king at Oxford, which appeared to affect his spirits, and may be deemed, by superstition,

of whom twenty or more might proceed to business; but not above one half would act under this authority; Mr. serjeant Bradshaw was president; Mr. Cook, solicitor-general; and Mr. Steel, Mr. Dorislaus, and Mr. Aske, were to support the charge. The form of process being settled by the commissioners, the king, who had been conducted to St. James's, January 15, appeared before his judges in Westminster-hall, the first time on Saturday January 20, 1648, when being seated at the bar in a chair of crimson velvet, and covered, as were all his judges, Mr. Cook the solicitor exhibited a charge of high-treason against him; which being read, the king, instead of pleading to the charge, excepted to the jurisdiction of the court, which was overruled, the president replying, that they would not suffer their authority to be disputed, and therefore required the king to think better of it against Monday; but his majesty persisting in his refusal to plead both on Monday and Tuesday, the clerk was ordered to record the default; Wednesday the court sat in the painted chamber, and examined witnesses against the king;* Thursday and Friday they consulted how to proceed; and on Saturday his majesty was brought the last time to the bar, when, persisting to disown the jurisdiction of the court, he desired to be heard in the painted chamber by the lords and commons, but his request was denied, and the president pronounced sentence

a prognostic of the calamities that befel him and were now thickening on him. On visiting the public library, he was shewed among other books a Virgil, nobly printed, and exquisitely bound. Lord Falkland, to divert him, would have his majesty make trial of his fortune by the *Sortes Virgilianæ*, a kind of augury in use for some ages. On the king's opening the book, the period which presented itself, was Dido's imprecation on Æneas, thus translated by Mr. Dryden:

> "Yet let a race untam'd and haughty foes
> His peaceful entrance with dire arms oppose;
> Oppress'd with numbers in th' unequal field,
> His men discouraged, and himself expell'd,
> Let him for succour sue from place to place,
> Torn from his subjects, and his son's embrace.
> First let him see his friends in battle slain,
> And their untimely fate lament in vain:
> And when at length the cruel war shall cease,
> On hard conditions may he buy his peace.
> Nor let him then enjoy supreme command,
> But fall untimely by some hostile hand,
> And lie unburied on the barren land."
>
> Welwood's Memoirs, p. 90, 91.—Ed.

* The evidence of Henry Goode, on this examination, proved the king's insincerity in the treaty of Newport; for he deposed, that on observing to his majesty, to whom he had access, that he had justified the parliament's taking up arms, the king replied, that though he was contented to give the parliament leave to call their own war what they pleased, yet he neither did then, nor should, decline the justice of his own cause. Rushworth in Macaulay's History, vol. 4. p. 388, note.—Ed.

of death against him as a traitor, fifty-nine being present, and signifying their concurrence by standing up, as had been agreed. Sundry indignities and insults were offered to the king by the soldiers, as he passed along Westminster-hall, but the far greater number of people deplored his unhappy condition. Tuesday January 30, being appointed for his execution, his majesty was offered the assistance of Mr. Calamy, Vines, Caryl, Dell, and Goodwin, but he refused them, and chose Dr. Juxon, bishop of London, who, according to bishop Burnet, performed his office with such a dry coldness as could not raise the king's devotion. On the fatal day he was conducted on foot by a strong guard through St. James's park, to a scaffold erected in the open street before the banqueting-house at Whitehall, where he made a short speech to the people, in which he made no acknowledgment of the mistakes of his government, but declared himself a martyr for the laws and liberties of the people; after which he laid down his head on the block, which was severed from his body at one blow* by some bold executioner in a mask, in the forty-ninth year of his age, and twenty-fourth of his reign. His body was interred privately at Windsor, February 28, following, without ceremony, and with no other inscription on the coffin than king Charles, 1648.

The reader will collect the character of this unfortunate prince rather from the preceding facts, than from the keen reflections of his determined enemies, or the flattering encomiums of his friends and admirers, which latter, in their anniversary sermons,† have almost equalled his sufferings with those of our blessed Saviour. It must be admitted, that king Charles I. was sober, temperate, chaste, an enemy to debauchery and lewdness, and very regular in his devotions. But these excellent qualities were balanced with

* Mr. Philip Henry was a spectator of this event, and noticed two remarkable circumstances which attended it. One was, that at the instant when the blow was given, there was such a dismal universal groan among the thousands of people that were within sight of it (as it were with one consent) as he never heard before, and desired he might never hear the like again. The other was, that immediately after the stroke was struck, there was, according to order one troop marching from Charing-cross, towards King-street, and another from King-street towards Charing-cross, purposely to disperse and scatter the people, and to divert the dismal thoughts which they could not but be filled with, by driving them to shift every one for his own safety. P. Henry's Life, p. 16.—Ed.

† It is the remark of bishop Warburton, that "blackened characters on the one hand, and impious comparisons on the other, equally offensive to charity and religion, in the early days of this returning solemnity, turned an act of worship into a day of contention. But these (he adds) were the unruly workings of a storm just then subsided. Time, which so commonly corrupts other religious institutions, hath given a sobriety and a purity to the returning celebrations of this." Sermon on the 30th of January, 1760, to the house of lords, p. 7, 8.—Ed.

some of a very different nature; his temper was distant and reserved to a fault; he was far from being generous, and when he bestowed any favour did it in a very disagreeable and uncourtly manner; his judgment in affairs of government was weak and unsteady, and generally under the direction of a favourite. In his treaties with the parliament, he was chargeable with great insincerity, making use of evasive and ambiguous terms, the explication of which he reserved for a proper place and season. He had lofty notions of the absolute power of princes, and the unlimited obedience of subjects; and though he was very scrupulous about his coronation-oath in regard to the church, he seems to have paid little attention to it as it respected the laws and liberties of his subjects, which he lived in the constant violation of for fifteen years.* He was a perfect dupe to his queen, who had too much the direction of public affairs both in church and state; no wonder therefore that he had a determined aversion to the Puritans, and leaned so much to the pomp and ceremony of the church of Rome, that though a Protestant in judgment he was for meeting the Papists half way, and for establishing one motley religion throughout Great Britain, in which both parties might unite. He told Dr. Sanderson, that if God ever restored him to his crown, he would go barefoot from the Tower of London, or Whitehall, to St. Paul's, by way of penance, for consenting to the earl of Strafford's death, and to the abolishing of episcopacy in Scotland, and desire the people to intercede with God for his pardon.† Such was his majesty's superstition! Upon the whole though king Charles I. had virtues that might have rendered him amiable as a private gentleman, his foibles were so many as entitle him to the character of a very weak and impolitic prince; far from appearing truly great in any one scene of his whole life except the last. Mr. Coke says,‡ he was wilful, and impatient of contradiction; his actions sudden and inconsiderate, and his councils without secrecy. He would never confess any of his irregularities in government, but justified them all to his death. If any gave him advice contrary to his inclination, he would never be friends with him again. He was unaffable and difficult of address, requiring such strained submissions as were not usual to his predecessors. The sincerity of his promises and declarations was suspected by

* Clarendon's Hist. p. 430. † Life of Sanderson, p. 79. ‡ Detect. p. 336.

his friends as well as enemies,* so that he fell a sacrifice to his arbitrary principles, the best friends of the constitution being afraid to trust him. Bishop Burnet† adds, "that he affected in his behaviour the solemn gravity of the court of Spain, which was sullen even to moroseness; this led him to a grave reserved deportment, in which he forgot the civilities and affabilities which the nation naturally loved; nor did he, in his outward deportment, take any pains to oblige any persons whatsoever. He had such an ungracious way of shewing a favour, that the manner of bestowing it was almost as mortifying as the favour was obliging. He loved high and rough measures, but had neither skill to conduct them, nor height of genius to manage them. He hated all that offered prudent and moderate counsels, and even when it was necessary to follow such advices he hated those that gave them. His whole reign, both in peace and war, was a continued series of errors, so that it does not appear that he had a true judgment of things. He was out of measure set upon following his humour, but unreasonably feeble to those whom he trusted, chiefly to the queen, and (it may be added also) to the clergy. He had a high notion of the regal power, and thought that every opposition to it was rebellion. He minded little things too much, and was more concerned in drawing up a paper than in fighting a battle. He had a firm aversion to Popery, but was much inclined to a middle way between Protestants and Papists, by which he lost one without gaining the other. At his death he shewed a calm and composed firmness which amazed all people, and so much the more, because it was not natural to him, and was therefore by his friends imputed to an extraordinary measure of supernatural assistance."

After his majesty's death, the episcopal clergy did all they could to canonize him for a martyr; they printed his sayings, his prayers, his meditations, and forms of devotion under his sufferings, and drew his portrait in the most devout and heavenly attitude. His works, consisting of sundry declarations, remonstrances, and other papers, have been published in a most pompous and elegant form; among which one is of very suspected authority, if not absolutely

* Bishop Warburton grants, that "the king made his concessions with so ill a grace, that they only served to remind the public of his former breaches of faith, and to revive their diffidence in the royal word." Sermon before the house of lords, 30th of January 1760, p. 16.—Ed.

† His life, vol. 1. p. 23. 64. Edin.—Ed.

spurious, I mean his Εικών Βασιλικὴ, i. e. "*Eikoon Basilikè*, or the portraiture of his sacred majesty in his solitude and sufferings," said to be written with the king's own hand: it was first printed in the year 1649, and passed through fifty editions in divers languages within twelve months.* No book ever raised the king's reputation so high as this, which obliged the new council of state to employ the celebrated Milton to destroy its credit, which he attempted in a treatise under the title of Εικόνο Κλάστης [Eikono Clastese] or an answer to a book entitled Eikoon Basilikè, printed by Du Garde, 1652; but the fraud was not fully detected till some years after.

The grounds and evidences of the spuriousness of this book are these, 1. That lord Clarendon, in his history of the grand rebellion, makes no mention of it.† 2. Bishop Burnet says,‡ the duke of York, afterward king James II. told him in the year 1673, that the book called Eikoon Basilikè was not of his father's writing, but that Dr. Gauden wrote it; that after the Restoration, the doctor brought the duke of Somerset to the king and to the duke of York, who both affirmed, they knew it to be his [the doctor's] writing, and that it was carried down by the earl of Southampton, and shewed the king during the treaty of Newport, who read and approved it. 3. The earl of Anglesey gave it under his hand, that king Charles II. and the duke of York declared to him, in the year 1675, that they were very sure the said book was not written by the king their father, but by Dr. Gauden bishop of Exeter. 4. Dr. Gauden himself, after the Restoration, pleaded the merit of this performance in a letter to lord-chancellor Hyde, who returned for answer, that the particular he mentioned [i. e. of his being the author of that book] was communicated to him as a secret; I am sorry, says his lordship, that it was told me, for when it

* It has gone through forty-seven impressions in England. The number of copies are said to have been forty-eight thousand five hundred. It produced, at home and abroad, the most favourable impressions for the king's piety and memory. Lord Shaftesbury supposed that it contributed in a great measure, to his glorious and never-fading titles of saint and martyr. Dr. Grey is displeased with Mr. Neal for suspecting the authenticity of the book and has bestowed ten pages to establish the king's right to be considered as its author. Since Dr. Grey and Mr. Neal wrote, the evidence for, and against, its spuriousness has been fully stated by Dr. Harris, in his Critical History, p. 106—116. Mr. Hume's remark with regard to the genuineness of that production, is, that "it is not easy for an historian to fix any opinion which will be entirely to his own satisfaction." He afterward adds "Many have not scrupled to ascribe to that book the subsequent restoration of the royal family." History of Great Britain, vol. 7. 8vo. 1763, p. 159, 160.—Ed.

† Vide Bayle's Dict. title Milton. ‡ His life, p. 51.

ceases to be a secret it will please nobody but Mr. Milton.* 5. Dr. Walker, a clergyman of the church of England, after invoking the great God, the searcher of hearts, to witness to the truth of what he declares, says, in his treatise entitled, "A true account of the author of Eikoon Basilikè," "I know and believe the book was written by Dr. Gauden, except chap. 16 and 24 by Dr. Duppa. Dr. Gauden, says he, acquainted me with his design, and shewed me the heads of several chapters, and some of the discourses. Some time after the king's death, I asked him whether his majesty had ever seen the book? He replied, I know it certainly no more than you; but I used my best endeavours that he might, for I delivered a copy of it to the marquis of Hertford, when he went to the treaty of the Isle of Wight."† Dr. Gauden delivered the MS. to this Walker, and Walker carried it to the press; it was copied by Mr. Gifford, and both the doctor's son and his wife affirm that they believe it was written in the house where they lived.

Notwithstanding all this evidence Mr. archdeacon Echard says, the book is incontestibly the king's; and bishop Kennet adds, that those who pretend Eikoon Basilikè was a sham put upon the world, are a set of men that delight to judge and execute the royal martyr over again by murdering his name. Dr. Hollingworth, Dugdale, Wagstaff, and others, have endeavoured to invalidate the above-mentioned authorities, by shewing that Dr. Gauden was not capable of writing such a book; but surely the evidence already produced is as strong and convincing as any thing of this nature can possibly be.‡

The king's trial and execution, in such an illegal and unheard-of manner, struck the whole Christian world with astonishment. The prince of Wales, then in Holland, encouraged the learned Salmasius to write a Latin treatise, entitled, Defensio Regia, or a Defence of King Charles I. dedicated to his son Charles II. which was answered by

* Crit. Hist. p. 191. † Ibid. p. 189. Hist. Stuarts, p. 283.

‡ "There is full as strong evidence on the other side (says bishop Warburton); all of which this honest historian conceals; evidence of the king's bed-chamber, who swear they saw the progress of it; saw the king write it; heard him speak of it as his; and transcribed parts of it for him." It seems that Mr. Neal considered the evidences of its spuriousness to be so strong, as to supersede entering into a detail of the evidences for its authenticity. The bishop, it is to be remarked, though he judges the strongest and most unexceptionable evidence is on that side which gives it to the king, yet owns that the question "is the most uncertain matter he ever took the pains to examine." No such great blame, then, can lie on Mr. Neal for taking the other side of the question.—Ed.

Milton, in a book entitled, Defensio pro Populo Anglicano; or, A Defence of the People of England, written in an elegant but severe style. This book, says Mr. Bayle, made the author's name famous over all the learned world. Another performance appeared about the same time, entitled, Clamor Regii Sanguinis ad Cœlum; or, The Cry of the King's Blood to Heaven. It was written in Latin by Peter du Moulin, junior, and answered by Milton in the same language. But to satisfy the English reader Mr. John Goodwin published a small treatise, which he called "A Defence of the Sentence passed upon the late King by the High Court of Justice; wherein the justice and equity of the said sentence are demonstratively asserted, as well from clear texts of Scripture as principles of reason, grounds of law, authorities and precedents, as well foreign as domestic;" a very weak and inconclusive performance! for admitting our author's principles, that the original of government is from the people, and that magistrates are accountable to them for administration, they are not applicable to the present case, because the officers of the army had neither the voice of the people, nor of their representatives in a free parliament; the house of commons was purged, and the house of peers dispersed, in order to make way for this outrage upon the constitution. Our author was so sensible of this objection, that, in order to evade it, he advances this ridiculous conclusion, that "though the erecting a high court of justice by the house of commons alone be contrary to the letter, yet it being for the people's good, it is sufficient that it is agreeable to the spirit of the law."* But who gave a few officers of the army authority to judge what was for the people's good, or to act according to the spirit of a law in contradiction to the letter? This would expose every man's life and estate to the will and pleasure of an arbitrary tyrant, and introduce a rule of government, so justly complained of in the former part of this reign, in opposition to a rule of law. The president Bradshaw, in his speech at pronouncing sentence, goes upon the same general topics, that the people are the origin of civil power, which they transfer to their magistrates under what limitations they think fit, and that the king himself is accountable to them for the abuse of it; but if this were true, it is not to the present purpose, because, as has been observed, the king's

* P. 20.

judges had not the consent of the people of England in their diffusive or collective capacity. His majesty's own reasons against this high court of justice, which he would have given in court, if he might have been heard, are, in my opinion, a sufficient answer to all that can be said on the other side.

——"Admitting, but not granting (says his majesty) that the people of England's commission could grant your pretended power, I see nothing you can shew for that, for certainly you never asked the question of the tenth man of the kingdom; and in this way you manifestly wrong even the poorest ploughman, if you demand not his free consent; nor can you pretend any colour for this your pretended commission without consent at least of the major part of the people of England, of whatsoever quality or condition, which I am sure you never went about to seek, so far are you from having it.——Nor must I forget the privileges of both houses of parliament, which this day's proceedings do not only violate, but likewise occasion the greatest breach of the public faith that I believe ever was heard of, with which I am far from charging the two houses.—Then, for any thing I can see, the higher house is totally excluded; and for the house of commons it is too well known, that the major part of them are detained, or deterred from sitting.——And after all, how the house of commons can erect a court of judicature, which was never one itself, as is well known to all lawyers, I leave to God and the world to judge.——"

King Charles therefore died by the hands of violence, or by the military sword, assumed and managed in an arbitrary manner by a few desperate officers of the army and their dependants,* of sundry denominations as to religion, without any regard to the ancient constitution of their country, or the fundamental laws of society; for by the former, the king cannot be tried for his life before any inferior court of justice; nor could they feign any pretence for the latter, without the express consent of the majority of the nation, in their personal or representative capacities, which these gentlemen never pretended. But since all parties have endeavoured to throw off the odium of this fatal event from themselves, it may not be improper to set before the

* They have been described as "a third party, rising out of the ferment of the self-denying ordinance; a swarm of armed enthusiasts, who outwitted the patriots, outprayed the Puritans, and outfought the cavaliers." Bishop Warburton's sermon before the house of lords, 30th of January 1760, p. 22.—Ed.

reader the sentiments of our best historians upon this head, leaving every one to draw what conclusion from them he pleases.

Not to insist upon the king's servile fondness for his queen and her friends; his resolute stiffness for his old principles of government in church and state; his untimely and ungracious manner of yielding to what he could not avoid; his distant and reserved behaviour towards those who were only capable of serving him; and his manifest doubling between the parliament and army, which some very reasonably apprehend were the principal causes of all his misfortunes, Mr. Whitelocke and Mr. Coke lay a good deal of blame upon his majesty's chaplains: the latter reproaches them with insisting peremptorily to the last upon the divine right of episcopacy; and the former for continual whispering in the king's ears the importance of preserving the revenues of the church to the hazard of his person and kingdom; and surely if these warm and eager divines could have disentangled his majesty's conscience (which Mr. Whitelocke apprehends was not fully satisfied), as soon as the cavaliers had been dispersed, and the Scots beaten out of the field, the mischief that followed might have been prevented. I will not take upon me to say how far their influence might reach, though his majesty's profound deference to their judgment was notorious; but the conviction does not seem impracticable, when it is remembered the king was of opinion, that what he yielded through the necessity of his affairs was not binding when he should be at liberty; but neither his majesty nor his clergy foresaw the issue.*

Most of the writers on the king's side, as well as the preachers since the Restoration, in their anniversary sermons, have with great injustice charged the Presbyterians with bringing the king to the block, contrary to the strongest and most convincing evidence; for though their stiffness for the divine right of presbytery, and their antipathy to liberty of conscience, is not to be vindicated, yet I apprehend enough has been said in the foregoing pages, to clear them from this unrighteous charge;† if the zeal of the Presby-

* Whitelocke's Mem. p. 335. Coke's Detect. p. 331, 332.

† Bishop Warburton with Mr. Neal acquit the Presbyterians from being parties in the execution of the king: but then he will not allow them merit or virtue, in this instance: but would ascribe it to their not uniting with the Independents in other matters, and the opposition which that party made to their two darling points, the

terians for their discipline and covenant were culpable, the behaviour of the king and his divines in the opposition was no less so, considering he was a prisoner, and in the hands of a victorious parliament; neither side were sensible of the danger till it was too late, but when the storm was ready to burst on their heads I do not see what men could do more in their circumstances to divert it, than the Presbyterians did; they preached and prayed, and protested against it in the most public manner; many of them resigned their preferments because they would not take the engagement to the new commonwealth; they groaned under all the preceding changes of government, and had a principal share in the restoration of the royal family in the year 1660, without which these anniversary declaimers would never have had an opportunity of pelting them with their ecclesiastical artillery, in the unwarrantable manner they have done.

The forementioned writers, together with Mr. Rapin, in his late History of England, load the Independents, as a religious sect, with all the guilt of cutting off the king's head; and with being in a plot, from the commencement of the civil war, to destroy equally king, monarchy, episcopacy, and presbyterianism; but this last-named writer, not being acquainted with their religious principles, constantly confounds the Independents with the army, which was compounded of a number of sectaries, the majority of whom were not of that denomination. There were no doubt among the Independents, as well as among other parties, men of republican principles, who had a large share in the reproach of this day; but besides what has been observed, of some of their number joining with the Presbyterians in protesting against the king's execution, the divines of this persuasion had no difference with the Presbyterians, or moderate Episcopalians, about forms of civil government; the leading officers would have contributed their part towards restoring his majesty to his throne, when he was with the army, upon more equal terms than some other of his adversaries, had they not discovered his designs to sacrifice them

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divine right of Presbytery, and the use of force in religious matters. The reader will judge, how far this is a candid construction of the conduct and motives of the Presbyterians; and, at the same time, he will lament, that there should have been any ground for the severe reflection which the bishop subjoins: "Those who were capable of punishing Arians with death, were capable of doing any wickedness for the cause of God."—Ed.

when it should be in his power. In their last propositions they consented to the restoring the king, upon the foot of a toleration for themselves and the episcopal party; leaving the Presbyterians in possession of the establishment. Both Whitelocke* and Welwood† observe, that at the very time of the king's trial the prevailing party were not determined what form of government to set up, "many having thoughts of making the duke of Gloucester king;" which his majesty being informed of, forbade the duke, in his last interview, to accept the crown while his elder brothers were living. And though Mr. Rapin says, that after the force put upon the members of parliament on the 6th and 7th of December, the house consisted of none but Independent members, it is certain to a demonstration, that there were then remaining in the house men of all parties, Episcopalians, Presbyterians, Independents, Anabaptists, and others: so little foundation is there for this writer's conclusion, that the Independents, and these only, put the king to death.

Dr. Lewis du Moulin, history professor in Oxford, who lived through these times, says, that "no party of men, as a religious body, were the actors of this tragedy, but that it was the contrivance of an army, which, like that of king David's in the wilderness, was a medley or collection of all parties that were discontented; some courtiers, some Presbyterians, some Episcopalians; few of any sect, but most of none, or else of the religion of Thomas Hobbes and Dr. Scarborough; not to mention the Papists, who had the greatest hand in it of all."‡ The same learned professor, in his book entitled, "The conformity of the Independent discipline, with that of the primitive Christians," published 1680, had a chapter, entitled, "An answer to those who accuse the Independents for having an immediate hand in the death of king Charles I." But the times were such that the author was advised not to publish it.§

Mr. Baxter says, "Many that minded no side in religion thought it was no policy to trust a conquered king, and therefore were wholly for a parliamentary government without a king; of these (says he) some were for an aristo-

* Memor. p. 358. † Ibid. p. 90. vol. 2. p. 367, folio.

‡ "There is doubtless (says bishop Warburton) a great deal of truth in all this. No party of men, as a religious body, farther than as they were united by one common enthusiasm, were the actors in this tragedy. (See what Burnet says.) But who prepared the entertainment, and was at the expense of the exhibition, is another question."—Ed.

§ Vind. Prot. Relig. p. 53. 59.

cracy, and others for a democracy, and some thought they ought to judge the king for all the blood that had been shed; the Vanists, the Independents, and other sects, with the democratical party, being left by Cromwell to do the business under the name of the parliament of England."*

Bishop Burnet says, that "Ireton was the person that drove it on, for Cromwell was all the while in suspense about it; Ireton had the principles and temper of a Cassius, he stuck at nothing that might turn England into a commonwealth; Fairfax was much distracted in his mind, and changed purposes every day; the Presbyterians and the body of the city were much against it, and were every day fasting and praying for the king's preservation. There were not above eight thousand of the army about the town, but those were the most engaged in enthusiasm, and were kept at prayer in their way almost day and night, except when they were upon duty, so that they were wrought up to a pitch of fury which struck terror into all people."†

Mr. Echard and some others are of opinion, that great numbers of Papists, under hopes of liberty of conscience, or of destroying episcopacy, joined with foreign priests and Jesuits against the king. This celebrated author of Foxes and Firebands has this remarkable passage;‡ "Let all true Protestants, who desire sincerely to have a happy union, recollect what a blemish the emissaries of Rome have cast upon those Protestants named Presbyterian and Independent, Rome saying the Presbyterians brought Charles the First's head to the block, and Independents cut it off; whereas it is certain, that the members and clergy of Rome, under dissenting shapes, contrived this murder. Nay, the good king himself was informed, that the Jesuits in France, at a general meeting, resolved to bring him to justice, and to take off his head by the power of their friends in the army.§" Bishop Bramhall in a letter to archbishop Usher, dated July 20, 1654, adds, "Thus much to my knowledge have I seen and heard, since my leaving your lordship, which I myself could hardly have credited, had not mine eyes seen sure evidence of the same, viz. that when the Romish orders, which were in disguise in the parliament-army, wrote to their several convents, and especially to the Sorbonists, about the lawfulness of taking away the king's

* Baxter's Life, p. 68. † Hist. Life and Times, vol. 1. p. 63, Edin. edition.
‡ Part 3. p. 188. § Ibid. p. 168, 169.

life, it was returned by the Sorbonists, that it was lawful for any Roman Catholic to work a change in governments for the mother-church's advancement, and chiefly in an heretical kingdom, and, so lawful to make away with the king."* Mr. Prynne adds, "that Mr. Henry Spotswood saw the queen's confessor on horseback among the crowd in the habit of a trooper, with his drawn sword flourishing it over his head in triumph, as others did, when the king's head was just cut off; and being asked how he could be present at so sad a spectacle, answered, there were above forty more priests and Jesuits there besides himself, and when the fatal blow was given, he flourished his sword and said, Now the greatest enemy we have in the world is dead." But this story does not seem to me very probable, nor is it easy to believe that the Papists should triumph in the death of a king, who was their friend and protector in prosperity, and whose sufferings are in a great measure chargeable upon his too great attachment to their interests.†

But the strongest and most unexceptionable testimony, is the act of attainder of the king's judges passed upon the restoration of King Charles II. the preamble to which sets forth, that the "execrable murder of his royal father was committed by a party of wretched men, desperately wicked, and hardened in their impiety, who having first plotted and contrived the ruin of this excellent monarchy, and with it of the true Protestant religion, which had long flourished under it, found it necessary, in order to carry on their pernicious and traitorous designs, to throw down all the bulwarks and fences of law, and to subvert the very being and constitution of parliament.—And for the more easy effecting their attempts on the person of the king himself, they first seduced some part of the then army into a compliance, and then kept the rest in subjection, partly for hopes of preferment, and chiefly for fear of losing their employments and arrears, till by these, and other more odious arts and devices, they had fully strengthened themselves in power and faction; which being done, they declared against all manner of treaties with the person of the king, while a treaty with him was subsisting; they remonstrated against the parliament for their proceedings; they seized upon his royal person while the commissioners were returned to London with his answers, which were voted a sufficient

* Necess. Vind. p. 45. † Foxes and Firebrands, part 2. p. 86.

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foundation for peace; they then secluded and imprisoned several members of the house of commons, and then there being left but a small number of their own creatures (not a tenth part of the whole), they sheltered themselves under the name and authority of a parliament, and in that name prepared an ordinance for the trial of his majesty; which being rejected by the lords, they passed alone in the name of the commons of England, and pursued it with all possible force and cruelty till they murdered the king before the gates of his own palace. Thus (say they) the fanatic rage of a few miscreants, who were neither true Protestants nor good subjects, stands imputed by our adversaries to the whole nation; we therefore renounce, abominate, and protest, against it.——"*

If this be a true state of the case, it is evident, from the highest authority in this kingdom, that the king's death was not chargeable upon any religious party, or sect of Christians; nor upon the people of England assembled in a free parliament, but upon the council of officers and agitators, who, having become desperate by the restless behaviour of the cavaliers, and ill conduct of the several parties concerned in the treaty of Newport, plotted the overthrow of the king and constitution, and accomplished it by an act of lawless violence; that it was only a small part of the army who were seduced into a compliance, and these kept the rest in subjection till the others had executed their desperate purposes; so that though the wisdom of the nation has thought fit to perpetuate the memory of this fatal day by an anniversary fast, as that which may be instructive both to princes and subjects, yet if we may believe the declaration of his majesty at his trial, or of the act of parliament which restored his family, the king's murder was not the act of the people of England, nor of their legal representatives, and therefore ought not to be lamented as a national sin.

* 12 Car. II. chap. 30.

END OF VOL. III.

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